



(Ireland.)

A

B I L L

[AS AMENDED ON RE-COMMITMENT]

For the Regulation of Municipal Corporations
and Borough Towns in Ireland.

[N.B.—The Clauses marked (A.) to (R.) were added on the
Re-commitment.]



WH^{EREAS} divers Bodies Corporate at sundry times have
been constituted within the Cities, Towns and Borough
of Ireland, to the intent that the same might for ever be and remain
well regulated and quietly governed; and it is expedient that the
Charters by which several of the said Bodies Corporate are con-
stituted should be altered in the manner hereinafter mentioned; **BE**
it therefore Enacted, by The QUEEN's most Excellent MAJESTY, by
and with the Advice and Consent of the Lords Spiritual and Tem-
poral, and Commons, in this present Parliament assembled, and by
the Authority of the same, THAT so much of all Laws, Statutes
and Usages, and so much of all Royal and other Charters, Grants
and Letters Patent, Rules, Orders and Directions now in force, re-
lating to the several Boroughs named in the Schedules (A.) and
(B.) to this Act annexed, or to the Inhabitants thereof, or to the
several Bodies or reputed or late Bodies Corporate named in the
said Schedules, or any of them, as is inconsistent with or contrary
to the provisions of this Act, shall be and the same is hereby
Repealed and Annulled.

Provisions.

1.
Repeal of all
Acts, Char-
ters, and Cu-
stoms inco-
sistent with
this Act.

2.
Reservation
of all rights
of property
and beneficial
exceptions to
Freemen,
their Wives
and Children.

And be it Enacted, That every Person who now is or hereafter
may be an inhabitant of any Borough, and also every Person who
has been admitted or who might hereafter have been admitted a Free-
man or Burgess of any Borough, if this Act had not been passed, or
who now is or hereafter may be the wife or widow or son or daughter

451.

A

of

of any Freeman or Burgess, or who may have espoused or may
 hereafter espouse the daughter or widow of any Freeman or Burgess,
 or who has been or may hereafter be bound an Apprentice, shall have
 and enjoy and be entitled to acquire and enjoy the same share and
 benefit of the lands, tenements and hereditaments, and of the rents
 and profits thereof, and of the common lands and public stock of
 any Borough or Body Corporate, and of any lands, tenements and
 hereditaments, and any sum or sums of money, chattels, securities
 for money, or other personal estate, of which any Person or any Body
 Corporate may be seised or possessed in whole or in part for any
 charitable uses or trusts, as fully and effectually, and for such time and
 in such manner, as he or she by any statute, charter, bye-law or custom
 in force at the time of passing this Act, might or could have had,
 acquired or enjoyed in case this Act had not been passed: Provided
 always, That the total amount to be divided amongst the Persons whose
 rights are herein reserved in this behalf shall not exceed the surplus
 which shall remain after payment of the interest of all lawful debts
 chargeable upon the real or personal estate out of which the sums
 so to be divided have arisen, together with the salaries of Municipal
 Officers, and all other lawful expenses which on the Fifth day of
 June One thousand eight hundred and Thirty-five, were defrayed out
 of or chargeable upon the same: Provided also, That nothing herein-
 before contained shall be construed to apply to any claim, right or
 title of any Burgesses or Freemen, or of any Person, to any dis-
 charge or exemption from any tolls or dues levied wholly or in part
 by or to the use or benefit of any Borough or Body Corporate; and
 that after the passing of this Act no Person shall have or be entitled
 to claim thenceforward any discharge or exemption from any tolls or
 dues lawfully levied in whole or in part by or to the use of any Body
 Corporate, except as hereinafter is excepted: Provided nevertheless,
 That every Person who, on the said Fifth day of June One thousand
 eight hundred and Thirty-five, was an inhabitant, or was or was entitled
 to be admitted a Freeman or Burgess of any Borough, or who on the
 said Fifth day of June was the wife or widow, son or daughter of any
 Freeman or Burgess of any Borough, or who on the said Fifth day
 of June was bound an Apprentice, shall be entitled to have or acquire
 and enjoy the same discharge or exemption from any tolls or dues
 lawfully levied in whole or in part by or to the use of any Borough
 or Body Corporate, as fully and for such time and in such sort as he
 or she, by any statute, charter, bye-law or custom in force on the
 said Fifth day of June, might or would have had, acquired and en-
 joyed the same if this Act had not been passed, and no further or
 otherwise: Provided also, That where, by any statute, charter, bye-
 law or custom in force within any Borough at the time of passing
 this Act, any Person whose rights in this behalf are herein reserved
 would

would have been liable in case this Act had not been passed to pay any fine, fee or sum of money to any Body Corporate, or to any member, officer or servant of any Body Corporate, in consideration of his Freedom, or of his or her title to such rights as are herein reserved, no such Person shall be entitled to have or claim any share or benefit in respect of the rights herein reserved as aforesaid until he or she shall have paid the full amount of such fine, fee or sum of money to the Treasurer of such Borough, appointed under the provisions of this Act, on account of the Borough Fund hereinafter mentioned: Provided also, That nothing in this Act contained shall be construed to entitle any Person to any share or benefit of the rights herein reserved who shall not have first fulfilled every condition which, if this Act had not passed, would have been a condition precedent to his or her being entitled to the benefit of such rights, so far as the same is capable of being fulfilled according to the provisions of this Act, or to strengthen, confirm or affect any claim, right or title of any Burgesses or Freemen of any Borough or Body Corporate, or of any Person, to the benefit of any such rights as are hereinbefore reserved, but the same in every case may be brought in question, impeached and set aside in like manner as if this Act had not been passed.

And be it Enacted, That from and after the passing of this Act, no Person shall be elected, made or admitted a Burgess or Freeman of any Borough by gift or purchase.

3-
No Person to
be admitted
a Freeman
by Gift or
Purchase.

And be it Enacted, That after the first election of Councillors under this Act in any Borough, the Body, or reputed or late Body Corporate, named in the said Schedules in connexion with such Borough, or if there be no such Body Corporate, the Inhabitants of such Borough, qualified as hereinafter mentioned, shall take and bear the name of the Mayor, Aldermen and Burgesses of such Borough, except the Corporation of Dublin, which shall bear the name of the Right Honourable the Lord Mayor, Aldermen and Burgesses of Dublin, and by those names shall have perpetual succession, and shall be capable in law, by the Council hereinafter named of such Borough, to do and suffer all acts which such Bodies Corporate lawfully may do and suffer, and shall be entitled to, invested with, and possessed of all the lawful rights, trusts, properties and estates, now or of late legally vested in or belonging, or which of right ought to belong to such Boroughs or Bodies Corporate respectively, solely or jointly with any other person or body corporate, save only and except those vested in the Charitable Trustees of such Boroughs, pursuant to the provisions hereinafter contained; and the Mayor of each of the said Boroughs shall be capable in law to do and suffer all acts which the chief officer of such Borough might or may lawfully do and suffer, so far as such

4-
Corporations
to be styled
Mayor, Alder-
men and Bur-
gesses.

powers, rights, trusts and privileges respectively are not altered or annulled by the provisions of this Act.

5.
Boundaries
of certain
Boroughs to be
those settled
by 2 & 3 W. 4.
cap. 89.

And be it Enacted, That the Metes and Bounds of the several Boroughs named in the said Schedule (A.) and in the first section of the said Schedule (B.), from and after the time when this Act shall come into operation in each of the said Boroughs respectively, shall, for the purposes of this Act, be the same as the limits thereof respectively settled and described in an Act passed in the Session of Parliament holden in the second and third years of the reign of his late Majesty King WILLIAM the Fourth, intitled, "An Act to settle and describe the Limits of Cities, Towns and Boroughs in Ireland, in so far as respects the Election of Members to serve in Parliament;" and the Metes and Bounds of the several Boroughs named in the second section of the said Schedule (B.) shall, for the purposes of this Act, be and remain as the same are now taken to be by virtue of any charter or usage, until such time as Parliament shall otherwise direct.

Boundaries
of other
Boroughs to
remain un-
altered.

6.
Occupiers of
Houses and
Shops rated
as of the
value of 5 l.
entitled to be
Burgesses, if
residents
within Seven
Miles.

And be it Enacted, That after this Act shall have come into operation in any Borough named in the said Schedules, every man of full age, who on the last day of August in any year shall be an inhabitant householder, resident within such Borough or within Seven Statute Miles of such Borough, and who shall hold and occupy within such Borough any house, warehouse, counting-house, office or shop, which either separately or jointly with any land within such Borough, occupied therewith by him as owner, shall be rateable to any rate made for the relief of the poor as of the net annual value of Five Pounds or upwards; that is to say, as being hereditaments which, in their actual state, may be reasonably expected to let from year to year at Five Pounds or upwards, all rates, taxes and public charges, if any, (except tithes), and the probable annual average cost of the repairs, insurance and other expenses (if any) necessary to maintain them in their actual state, being paid by the tenant, shall, if duly enrolled according to the provisions hereinafter contained, be a Burgess of such Borough, and a Member of the Body Corporate of the Mayor, Aldermen and Burgesses of such Borough: Provided always, That no such occupier shall be admitted to be enrolled under this Act, unless he shall have occupied such premises within said Borough, or other premises of the like nature, within the said Borough, for the space of Six calendar Months at the least next preceding such enrolment; nor unless such occupier shall have paid or discharged all cesses, rates and taxes, if any, which shall have become legally due and payable by him in respect of such premises, except such as shall have been imposed

imposed or become due within Three calendar Months next before such enrolment : Provided also, That no Person, being an alien, shall be so enrolled in any year, and that no Person shall be enrolled who within Twelve calendar Months next before the said last day of August shall have received any pension or charitable allowance from any fund intrusted to the Charitable Trustees of such Borough hereinafter mentioned, other than medical or surgical assistance; but no Person shall be disqualified from being enrolled as a Burgess by reason that any child of such Person shall have been admitted and taught within any public or endowed school.

And be it Enacted, That in every case provided in this Act the distance of Seven Miles shall be computed by the nearest public road or way by land or water.

7.
CIVIL (A.)
How distances
are to be
reckoned.

And be it Enacted, That where any house, warehouse, office, counting-house or shop in any Borough shall come to any Person by descent, marriage, marriage settlement, devise, bequest or promotion to any benefice or office, such Person shall be entitled to reckon the holding and occupancy thereof by the Person from or by whom such house, warehouse, office, counting-house or shop shall have so come to him, as his own holding and occupancy, conjointly with the time during which he shall have since held and occupied the same, and shall be entitled to be enrolled a Burgess in respect of such successive holding and occupancy, provided he shall be otherwise qualified as herein provided; and it shall not be necessary in support of the title of such Person to be so enrolled to prove that he was an inhabitant householder within the said Borough, or within Seven Miles of the said Borough before the change of occupancy; and the rating in the name of the person previously occupying shall be considered a sufficient rating of the person so entitled, until a new rate shall be made subsequent to the change of occupancy : Provided always, That the other Person, in respect of whose previous occupancy and rating he shall be so partially entitled, shall have been enrolled a Burgess at the time of the change of occupancy.

8.
In case of
Titles by
descent, &c.,
how the occu-
pancy is to be
reckoned.

And be it Enacted, That if any Person who shall have been enrolled a Burgess of any Body Corporate within any Borough, according to the provisions of this Act, shall at any time thereafter cease to hold and occupy a house, warehouse, office, counting-house or shop within the Borough, or cease to be an inhabitant householder within the same, or within Seven Miles thereof, or neglect or refuse to pay such cesses, rates and taxes as aforesaid, due from him at the time of the revision of the Burgess Roll, except as hereinbefore is excepted, his name shall at the then next revision of the Burgess Roll be struck out from the said Burgess Roll, and

9.
Burgesses who
cease to be
occupiers
within the
Borough, or
neglect to pay
their rates, to
be omitted
from the
Burgess Roll,
but may be
restored at any
subsequent
revision of the
Burgess Roll.

he shall thereupon cease to be a Burgess and member of the said Body Corporate: Provided nevertheless, That at any future revision of the Burgess Roll, he shall be entitled again to be and be enrolled a Burgess and member of the said Body Corporate, when he shall be duly qualified, as herein provided.

10.
No Burgess to be elected who is not qualified under this Act.

And be it Enacted, That after the passing of this Act, no Person shall be elected or enrolled a Burgess of any Borough for the purpose of enjoying the rights conferred for the first time by this Act, in respect of any right or title other than by residence, occupancy, and payment of cesses, rates and taxes within such Borough, according to the meaning and provisions of this Act.

11.
Persons who before the passing of this Act were entitled to vote for Members of Parliament, may still enjoy such right.

AND whereas the right of voting in the Election of Members to serve in Parliament was, by an Act passed in the Session of Parliament holden in the second and third years of the reign of his late Majesty, intituled, "An Act to amend the Representation of the People of Ireland," preserved to all Freemen, Freeholders and Persons who, by reason of any Corporate or other right, were then by law entitled to vote at the Election of a Member or Members to serve in Parliament for any City, Town or Borough, and all Persons who, by reason of birth, marriage or service, or of any statute then in force, should be at any time thereafter admitted to their Freedom in any City, Town or Borough, subject to the conditions and provisions in that Act contained, BE it Enacted, That every Person who, if this Act had not been passed, would have been entitled to enjoy, or might hereafter have been entitled to acquire in respect of birth or marriage or servitude, or of any statute then in force, as a Freeman, the right of voting in the Election of a Member or Members to serve in Parliament for any City, Town or Borough, shall be entitled to acquire and enjoy such right of voting as fully as if this Act had not been passed.

12.
CLAUSE (B.)
Persons voluntarily paying cess, may recover the amount from their landlords.

AND whereas by the said Act passed in the Session of Parliament holden in the second and third years of the reign of his late Majesty King WILLIAM the Fourth, it is among other things enacted, that no occupier of the premises in the said Act described, who shall not have paid and discharged all such grand jury and municipal cesses, rates and taxes, if any, as shall have become due and payable by him in respect of such premises, except as therein is excepted, shall be qualified to be registered as a voter under that Act in respect of such premises: AND whereas it often happens that the cesses, rates and taxes aforesaid, or cesses, rates and taxes which may be imposed under this Act, are, by virtue of contracts between the occupiers of such premises and the landlords thereof, payable as between such occupiers and landlords by some person other than such occupiers:

AND

AND whereas occupiers paying such cesses, rates and taxes voluntarily to the collectors thereof, notwithstanding such contracts, are in some cases not entitled to recover or set off such payment against the persons who ought to have paid the same on their behalf, and who have omitted to pay the same; BE it Enacted, That in all cases where the occupier of premises liable to any cess, rate or tax whatsoever, shall have voluntarily paid any cess, rate or tax which shall be then due and payable, such occupier shall be entitled to recover or set off the amount of such payment against the like persons and by the like means as if such payment had been made by legal compulsion.

AND whereas it is expedient to provide greater facilities for the payment of cesses, rates and taxes in the City of Dublin; BE it Enacted, That after the time when this Act shall come into operation in the City of Dublin, the several collectors of cesses, rates and taxes payable in the City of Dublin, under any Act of Parliament now in force or hereafter to be passed, shall immediately open accounts with the Bank of Ireland in their respective names as such collectors, which accounts the said Bank is hereby required to open and keep; and it shall be lawful to every person to pay into the Bank of Ireland to the credit of any of the said accounts, such sums as he shall think fit; and such payment shall be deemed to have been made to the collector to whose credit it was paid; and the proper officer of the Bank of Ireland shall receive such payment, and give to the person making such payment a receipt signed by such officer, expressing the day and amount of such payment, the description of tax on account of which it was paid, the name of the person by whom paid, and of the collector to whose credit it was paid; which receipt shall not be liable to any stamp duty, and such receipt shall be evidence of the payment to the collector of the sum therein specified.

And be it Enacted, That on or before the Fifth day of September in the first year in which this Act shall come into operation in any Borough, the Churchwardens of every parish wholly or in part within such Borough, shall make out an alphabetical List, according to the Form Number 1 in the Schedule (C.) to this Act annexed, of all Persons, with their respective residences, who shall be entitled to be enrolled in the Burgess Roll according to the provisions of this Act, in respect of property within such Parish and Borough, and shall sign such List, and deliver the same, on the said Fifth day of September, to the Town Clerk; and shall keep a true copy of such List, to be perused by any Person without payment of any fee, at all reasonable hours between the said Fifth and the Fifteenth days of September aforesaid.

13.
CLAIMS (C.)
Occupiers
may pay
cesses into
Bank of
Ireland.

14.
Churchwardens of each
Parish to make
out Lists in
the first
year of
Persons qualified
as Burgess
in such
Borough.

15.
Extra-parochial Places,
&c.

And be it Enacted, That in any Borough in which there shall be no Town Clerk, or in which the Town Clerk shall be incapable of acting, all matters by this Act required to be done by or with regard to the Town Clerk, shall be done by and with regard to the Person executing duties in such Borough similar to those of Town Clerk; 5
and if there be no such Person, or if such Person be incapable of acting, then by and with regard to such fit Person as the Mayor of such Borough shall appoint in that behalf; and in extra-parochial places, and in Parishes where there is no Churchwarden, or where the Churchwarden may be absent or incapable of acting, the Lord 10
Lieutenant shall appoint, by writing under his hand, a proper person to perform the duty of Churchwarden under this Act, and the acts of such person shall be as valid as if done by a Churchwarden.

16.
Town Clerks to make out
Lists in Bor-
oughs in fol-
lowing years.

And be it Enacted, That on or before the Fifth day of Sep-
tember in every year, except the first in which this Act shall come 15
into operation in any Borough, the Town Clerk of such Borough shall make out an alphabetical List, according to the said Form Number 1, in the Schedule (C.) to this Act annexed, of all persons who shall be entitled to be enrolled in the Burgess Roll of that year within such Borough, and shall sign such List, and shall on that day 20
deliver a true copy of such List, signed by himself, to the Mayor of such Borough, and shall himself keep such original List, to be perused by any person without payment of any fee, at all reasonable hours, between the Fifth and the Fifteenth days of September in every year.

17.
Clause (D.)
Town Clerk to print the
Lists.

And be it Enacted, That the Town Clerk shall forthwith cause 25
copies to be printed of all Lists so delivered to him by the Churchwardens in the first year, and of all Lists made out by himself, or under his direction in every succeeding year; and shall deliver a copy of all such Lists to any Person requiring the same, on payment of a sum of One Shilling for each copy, and shall cause a copy of all such 30
Lists to be fixed on or near the outer door of the Town Hall, or in some public and conspicuous situation within the Borough, on every day during the Eight Days next preceding the Fifteenth day of September in every year.

18.
Persons omit-
ted from the
Lists to give
notice to the
Town Clerk.

And be it Enacted, That every Person whose name shall have been 35
omitted in any such List, and who shall claim to have his name inserted on the Burgess Roll, shall, on or before the Fifteenth day of September in every year, give notice thereof to the Town Clerk in writing, according to the Form Number 2, in the said Schedule (C.), or to the like effect; and every Person whose name shall have been 40
inserted in any such List for any Borough may object to any other Person as not being entitled to have his name retained in the Burgess Roll for the same Borough; and every Person so objecting shall,

Notices as to
Persons not
entitled to be
retained in the
Lists.

shall, on or before the Fifteenth day of September in every year, give to the Town Clerk of such Borough, and also to the Person objected to, or leave at the premises in respect of which his name shall have been inserted in such List, notice thereof in writing, according to the Form Number 3, in the said Schedule (C.), or to the like effect; and every Town Clerk shall include the names of all Persons so claiming in a List, according to the Form Number 4, in the said Schedule (C.); and the names of all Persons so objected to in a List, according to the Form Number 5, in the said Schedule (C.), and shall cause copies of such Lists to be fixed on or near the outer door of the Town Hall, or in some public and conspicuous situation within such Borough, during the Eight Days next preceding the First day of October in every year; and the Town Clerk shall likewise keep a copy of the names of all the Persons so claiming as aforesaid, and also a copy of the names of all Persons so objected to as aforesaid, to be perused by any Person without payment of any fee, at all reasonable hours, during the Eight Days, Sunday excepted, next preceding the First day of October in every year, and shall deliver a copy of each of such Lists to any Person requiring the same, on payment of a sum not exceeding One Shilling for each copy.

Lists of Claimants, and of Persons objected to, to be published, &c.

And be it Enacted, That it shall be lawful for the Lord Lieutenant of Ireland to appoint, by warrant under his hand, so many Barristers of not less than Five Years' standing at the bar, as he shall think fit, to revise the List of Burgesses in any Borough, in the first year in which this Act shall come into operation in that Borough; and the Barrister so appointed shall for that purpose be in the place and stand of the Mayor and Assessors hereinafter mentioned of such City, Town or Borough, and shall revise the List of Burgesses, and have for that purpose all such powers as the Mayor or Mayors and Assessors will possess in the succeeding years.

19.
CLERK (E.)
Lord Lieutenant may appoint Revising Barrister for the present Year.

And be it Enacted, That in the first year in which this Act shall come into operation in any Borough, the Barrister appointed as aforesaid, and in every succeeding year the Mayor and the Two Assessors of the Borough hereinafter mentioned, shall hold an open Court within such Borough, for the purpose of revising the said Lists, at some time between the First day of October inclusive, and the Fifteenth day of October inclusive, in every year, having first given Three clear Days' notice of the holding of such Court, to be fixed on or near the door of the Town Hall, or in some public and conspicuous situation within the Borough; and the Town Clerk of every such Borough shall, at the opening of the Court, produce the said Lists before him or them, and a copy of the Lists of the Persons claiming and of the Persons objected to, so made out as aforesaid; and the several Churchwardens for the present year of

20.
Mayor to revise Lists, and upon due proof to issue and expunge Names.

every Parish wholly or in part within every such Borough, shall attend the Court to be holden in this present year; and such Town Clerk and Churchwardens respectively shall answer upon oath all such questions as the Court may put to them, or any of them, touching any matter necessary for revising the said Lists; and the Mayor or Barrister, as the case may be, shall insert in such Lists the name of every Person who shall be proved, to the satisfaction of the Court, to be entitled to be enrolled in the Burgess Roll, according to the provisions of this Act; and shall retain on the said Lists the names of all Persons to whom no objection shall have been duly made and sustained; and where the name of any Person inserted in any one of the said Lists shall have been duly objected to, and the Person objecting shall appear by himself, or by some one on his behalf, in support of such objection, the Court shall require proof of the qualification of the Person so objected to; and in case the qualification of such Person shall not be proved to the satisfaction of the Court, the Mayor or Barrister, as the case may be, shall expunge the name of every such Person from the said Lists; and he shall also expunge from the said Lists the name of every Person who shall be proved to be dead, and shall correct any mistake or supply any omission which shall be proved to have been made in any of the said Lists in respect to the name or place of abode, or local description of the property of any Person who shall be included in any such List: Provided always, That no Person's name shall be inserted by the Mayor or Barrister in any such List, or shall be expunged therefrom, except in the case of death, unless notice shall have been given as is hereinbefore required in each of the said cases: Provided also, That no ground of objection shall be inquired into at any such Court other than is stated in some notice so given as aforesaid.

Power to
correct mis-
takes in the
Lists.

21.
Mayor, on
revising the
Lists, to have
power of ad-
journing, of
administering
Oaths, &c.;
and shall se-
dle and sign
the Lists in
open Court

And be it Enacted, That every Mayor or Barrister holding any Court under this Act for the revision of the said Lists shall have power to adjourn the same from time to time, so that no such adjourned Court shall be held after the Fifteenth day of October in any year, and shall have power to require any High Constable, Churchwarden or other Person authorized to applot, collect or levy any cess, rate or tax, within the Borough, or within any Parish wholly or in part within the Borough, or other Person or Persons having the custody of any book of applotment or rate or valuation, to produce the same, and allow the same to be inspected at any Court to be held for revision of the Burgess Roll, and shall have power to administer an Oath to the Town Clerk and Churchwardens, and to all Persons claiming to be inserted in or making objection to the omission or insertion of any name in the said Lists, and to all Persons objected to in any of such Lists, and to all Per-

sons

sons claiming to have any mistake in any such Lists corrected, and to all Witnesses who may be tendered or examined on either side; and if any Person taking any oath or making any affirmation under this Act shall wilfully swear or affirm falsely, such Person shall be deemed guilty of Perjury, and shall be punished accordingly; and the Mayor and Assessors or Barrister shall, upon hearing in open Court, determine upon the validity of such claims and objections; and the Mayor or Barrister shall, in open Court, write his initials against the names respectively struck out or inserted, and against any part of the said Lists in which any mistake shall have been corrected, and shall sign his name to every page of the several Lists so settled.

And be it Enacted, That the Lists so revised and signed as last aforesaid shall be delivered by the Mayor or Barrister to the Town Clerk of such Borough, who shall keep the same, and shall cause the said Lists to be fairly and truly copied into one general Alphabetical List in a book to be by him provided for that purpose, with every name therein numbered, beginning the numbers from the first name, and continuing them in a regular series to the last name, and shall cause such book to be completed on or before the Twenty-second day of October in every year, and shall deliver such book, together with the Lists, at the expiration of his office, to the Person succeeding him in such office; and every such book shall be the Burgess Roll of the Burgesses of such Borough entitled to vote after the passing of this Act in the choice of the Aldermen and Councillors, Assessors and Auditors of such Borough as hereinafter mentioned, at any election which may take place in such Borough between the Twenty-fifth day of October inclusive, in the year wherein such Burgess Roll shall have been made, and the Twenty-fifth day of October in the succeeding year, or until a New Burgess Roll shall have been made.

22
Borough List to be kept by the Town Clerk, and copied into Books, with the Names numbered.

Such Book to be the Register of Voters, from which Elections shall be made.

23
Clause (F.)
No Stamp Duty payable on enrolment.

24.
Penalty for wilfully and corruptly expunging or not inserting any Name.

And be it Enacted, That no Stamp Duty shall be payable in respect of the admission, registry or enrolment of any Burgess, according to the provisions of this Act.

And be it Enacted, That if any such Mayor or Assessor shall wilfully and corruptly disallow the claim of any Person who shall be duly entitled, or wilfully and corruptly allow the claim of any Person who shall not be duly entitled to be enrolled on the Burgess Roll, or if any such Mayor shall wilfully and corruptly expunge the name of any Person duly entitled, or wilfully and corruptly insert or retain in such List the name of any Person who shall not be duly entitled to be enrolled on such Burgess Roll, every Mayor or Assessor so offending shall be liable to be sued by way of Civil Bill in an action

Mayor, Town
Clerk or
Churchwarden
neglecting
duty, guilty
of a Misdemeanor.

action of debt for the penal sum of Ten Pounds for every name so wilfully and corruptly allowed, disallowed, expunged, inserted or retained, at the suit of any Burgess of the said Borough who shall sue for the same in the Court of the Assistant Barrister, Chairman or Recorder having jurisdiction, by way of Civil Bill, within such Borough; and the Defendant in such Action respectively, being convicted, shall pay such penal sum so awarded, with full costs of suit, to the party who may sue for the same; and if any Mayor, Town Clerk or Churchwarden shall wilfully neglect to make out such Lists, or wilfully omit the name of any Person which ought to be inserted thereon, or wilfully insert in or retain on such Lists the name of any Person which ought not to be inserted thereon, or wilfully neglect or refuse to perform the duties or any part thereof by this Act imposed upon him or them respectively, he shall be deemed guilty of a Misdemeanor, and may be indicted and punished accordingly.

25.
Copies of
Burgess Roll
to be made
for sale.

And be it Enacted, That the Town Clerk of every Borough shall cause to be written or printed copies of the Burgess Roll in every year, and shall deliver such copies to all Persons applying for the same, on payment of a reasonable price for each copy; and the monies arising from the sale thereof, and of the Churchwardens' and Town Clerks' Lists, and of the Lists of claims and objections as aforesaid, shall be paid over to the Treasurer of such Borough, and shall be applied by him in aid of the Borough Fund hereinafter mentioned; and the Town Clerk of every Borough shall, on or before the First day of December next, after this Act shall come into operation in that Borough, make out a List, to be called "The Freeman's Roll," of all Persons who at the time of the passing of this Act shall have been admitted as Freeman of such Borough; and that whenever any Person shall become entitled to be admitted a Freeman of such Borough in respect of birth, servitude or marriage, and shall claim to be admitted accordingly, the Mayor of such Borough shall examine into such Claim, and upon such Claim being established, every such person shall thereupon be admitted and enrolled by the Town Clerk of such Borough upon the said Roll; and the Town Clerk shall keep a true copy of such Roll, to be perused by any person, without payment of any fee, at all reasonable times, and shall deliver a copy thereof to any person requiring the same, on payment of a reasonable price for such copy.

26.
Expenses of
Lists, how to
be defrayed.

And be it Enacted, That the Council of every Borough shall take an account of the reasonable expenses incurred in carrying into effect the several provisions of this Act, so far as relates to the said Lists, and shall order the Treasurer of the said Borough to pay the same out of the Borough Fund of the said Borough.

And

And be it Enacted, That in every Borough shall be elected, at the time and in manner hereinafter mentioned, one fit person who shall be and be called "The Mayor" of such Borough, and a certain number of fit Persons who shall be and be called "The Aldermen" of such Borough, and a certain number of other fit Persons who shall be and be called "The Councillors" of such Borough; and the number of Persons to be so elected Aldermen and Councillors of such Borough shall be the number of Persons in that behalf mentioned in conjunction with the name of such Borough in the Schedules (A.) and (B.) to this Act annexed; and such Mayor, Aldermen and Councillors for the time being, or so many of them as shall at any time be elected and have accepted the offices, shall be and be called the Council of such Borough.

27.
Mayor, Aldermen and Councillors to be chosen in every Borough.

And be it Enacted, That no Person being in Holy Orders, or being the regular Minister of any Dissenting Congregation, shall be qualified to be elected, or to be a Councillor or an Alderman of any Borough, nor shall any Person be qualified to be elected or to be a Councillor or an Alderman of any Borough named in said Schedule (A.) to this Act annexed, who shall not be entitled to be on the Burgess List of such Borough, nor unless he shall be seised or possessed of real or personal estate, or of both, of the clear value of One thousand Pounds above what will satisfy his debts, or shall occupy and shall for Twelve Months next previous have occupied a house of the clear yearly value of Twenty-five Pounds or upwards situate within the Borough; nor shall any Person be qualified to be elected or to be a Councillor or an Alderman of any Borough named in the said Schedule (B.) to this Act annexed, who shall not be entitled to be on the Burgess List of the Borough for which he is elected, nor unless he shall be seised or possessed of real or personal estate, or of both, of the clear value of Five hundred Pounds above what will satisfy his debts, or shall occupy, and shall for Twelve Months next previous have occupied, a House of the clear yearly value of Fifteen Pounds or upwards, situate within the Borough; nor shall any Person be qualified to be elected, or to be a Councillor or an Alderman of any Borough during such time as he shall hold any office or place of profit, other than that of Mayor, in the gift or disposal of the Council or Charitable Trustees of such Borough, or while he is an uncertificated Bankrupt, or during such time as he shall have directly or indirectly, by himself or his partner, any share or interest in any contract or employment with, by or on behalf of such Council or Charitable Trustees: Provided, That no Person shall be disqualified from being a Councillor or Alderman of any Borough as aforesaid by reason of his being a proprietor or shareholder of or in any Company which shall contract with the Council of such Borough for lighting or supplying with water any part of the said Borough, or insuring against fire any property therein.

28.
Who not qualified to be chosen Mayor, Aldermen or Councillor.

29.
Who shall
vote in the
Election for
Councilors.

And be it Enacted, That every Burgess of any Borough who shall be enrolled on the Burgess Roll for the time being of such Borough, shall be entitled to vote in the election of Aldermen and Councilors, and of the Auditors and Assessors hereinafter mentioned for such Borough; and no Person who shall not be enrolled in such Burgess Roll for the time being shall have any voice or be entitled to vote in any such election.

30.
Directing the
Election of
Aldermen and
Councilors.

And be it Enacted, That on the Twenty-fifth day of October in the first year in which this Act shall come into operation, in any Borough mentioned in the said Schedules, and not divided into Wards as hereinafter directed, the Burgesses shall elect from among the Persons qualified to be Councilors of such Borough the number of Persons mentioned in the Schedules to this Act annexed, in conjunction with such Borough, as the number of Aldermen and Councilors of the said Borough; and One-fourth part of the Persons elected, being those who shall have the greatest number of votes, shall be the Aldermen of the said Borough, and the remaining Three-fourths shall be the Councilors of such Borough.

31.
One-third part
of the Council
to go out of
office annually.

And be it Enacted, That upon the Twenty-fifth day of October in every year following that in which this Act shall come into operation in any Borough, One-third part of the number appointed as aforesaid to be the whole number of the Councilors of such Borough shall go out of office; and the Burgesses then enrolled in the Borough shall elect the number of Councilors needed to supply the vacancies thereupon existing in the number of Councilors; and those who shall so first go out of office shall be the Councilors who were elected under the provisions of this Act, by the smallest numbers of votes at the first election; and in the next year, those who shall go out of office shall be the Councilors who were elected under the provisions of this Act, by the next smallest numbers of votes at the first election; the majority of the whole Council always determining, when the votes for any such Persons shall have been equal, or in case there shall have been no contest, who shall be the Persons so to go out of office; and thereafter those who shall so go out of office shall always be the Councilors who have been for the longest time in office without re-election: Provided always, That any Councilor so going out of office shall be capable of being forthwith re-elected, if then qualified as herein provided.

32.
When day of
Election falls
on a Sunday,
the Election
shall be held
on the Monday
following.

And be it Enacted, That whenever any day appointed by this Act as a day of election, or for doing any act in any year, shall happen on a Sunday, in every such case the election shall be holden and the act done on the following Monday.

And

And be it Enacted, That on the Twenty-fifth day of October in every Third Year after the year in which this Act shall come into operation in any Borough, One-half of the number appointed to be the whole number of the Aldermen of every Borough shall go out of office; and the Burgesses then enrolled in the Borough shall elect the number of Aldermen needed to supply the vacancies thereupon existing in the number of Aldermen; and the Aldermen who shall so first go out of office shall be the Aldermen who were elected by the smallest number of votes at the first election; the majority of the Council determining when the votes for any such Persons shall have been equal, or in case there shall have been no contest, who shall be the Aldermen first to go out of office, and thereafter those who shall go out of office shall always be those who have been Aldermen for the longest time without re-election: Provided always, That any Alderman, on going out of office, may be forthwith re-elected, if then qualified.

33.
One-half the
number of
Aldermen to
go out of
office every
Three Years

And be it Enacted, That the first election of Aldermen and of Councillors within any Borough, according to the provisions of this Act, shall be holden before the Barrister to be appointed by the Lord Lieutenant to revise the Lists of Burgesses as aforesaid, and such Barrister shall for that purpose be in the place and stead of the Mayor and Assessors, and shall have all such powers as the Mayor or the Mayor and Assessors will possess in the subsequent elections; and every subsequent election of Aldermen or of Councillors within any Borough, according to the provisions of this Act, shall be holden before the Mayor and Assessors for the time being of such Borough, except as herein is excepted; and the voting at every such election shall commence at Nine of the clock in the forenoon, and shall finally close at Four of the clock in the afternoon of the same day, and shall be conducted in manner following; (that is to say) every Burgess entitled to vote in the election may vote for any number of Persons, not exceeding the number of Aldermen or Councillors then to be chosen, by delivering to the Mayor or Barrister a Voting Paper, containing the christian names and surnames of the Persons for whom he votes, with their respective places of abode and descriptions, such paper being previously signed with the name of the Burgess voting, and with the name of the street, lane or other place in which the property in respect of which he is enrolled is situated.

34.
Elections, how
to be held.

Mode of
voting.

And be it Enacted, That at every election under this Act in any Borough, the Mayor or Barrister, if it shall appear to him expedient for taking the Poll at such election, may cause Booths to be erected, or Rooms to be hired and used as such Booths for different parts of such Borough, and such Booths or Rooms may be situated either in one place or in several places, and shall be so divided and allotted into

35.
Polling-booths
to be provided.

compartments as to the Mayor or Barrister shall seem most convenient; and the Mayor or Barrister shall appoint a Clerk to take the Poll at each compartment, and shall cause to be affixed on the most conspicuous part of each of the said Booths the Names of the Parts of the Borough for which such Booth is respectively allotted; and no Person shall be admitted to vote at any such election, except at the Booth allotted for the part wherein the house, warehouse, counting-house, office or shop occupied by him, as described in the Burgess Roll, may be; but in case no Booth shall happen to be provided for any particular part as aforesaid, the votes of the Persons voting in respect of property situate in any part so omitted may be taken at any of the said Booths; and public notice of the situation, division and allotments of the different Booths shall be given Two Days before the commencement of the Poll by the Mayor or Barrister; and in case the Booths shall be situated in different places, the Mayor or Barrister may appoint a Deputy to preside at each place: Provided, That no election shall be holden under this Act in any Borough in any church, chapel, or other place of public worship.

36.
No inquiry of
the Voter,
except as to
his identity,
and whether
he has voted
before at the
same Election.

And be it Enacted, That no inquiry shall be permitted at any election as to the right of any Person to vote as a Burgess in any Borough, except only as follows; (that is to say) that the Mayor or other presiding officer shall, if required by any two Burgesses entitled to vote in the same Borough, put to any Voter at the time of his delivering in his Voting Paper, and not afterwards, the following Questions, or any of them, and no other:

Forms of
Questions as
to these points.

1. Are you the Person whose name is signed as A. B. to the Voting Paper now delivered in by you?
2. Are you the Person whose name appears as A. B. on the Burgess Roll now in force for this Borough, being registered therein for property described to be situated in [here specify the Street, &c., as described in the Burgess Roll.]
3. Have you already voted at the present election?

And no Person required to answer any of the said Questions shall be permitted or qualified to vote until he shall have answered the same; and if any Person shall wilfully make a false answer to any of the Questions aforesaid, he shall be deemed guilty of a Misdemeanor, and may be indicted and punished accordingly.

37.
Clerk (G.)
Poll may be
closed if an
Hour has
elapsed with-

And be it Enacted, That at any Election under the provisions of the said Act or of this Act, it shall be lawful for the presiding Officer to close the Poll at any time before Four of the clock, if One Hour shall

shall have elapsed during which no vote shall have been tendered for any Candidate: Provided, That no Person or Persons have, within the last Hour, been prevented from coming to the poll by any riot, violence, or other unlawful means, of which notice shall have been given to the Returning Officer.

out a Vote being tendered.

And be it Enacted, That the Mayor and Assessors or the Barrister shall examine the Voting Papers so delivered as aforesaid, for the purpose of ascertaining which of the several Persons voted for are duly elected; and so many of such Persons, being equal to the number of Persons then to be chosen, as shall have the greatest number of votes, shall be deemed to be elected; and in case of an equality in the number of votes for any two or more Persons, the Mayor and Assessors, or any Two of them, or at the first election the Barrister, shall name from amongst those Persons for whom the number of votes shall be equal, so many as shall be necessary to complete the requisite number of Persons to be chosen Aldermen or Councillors, as the case may be; and the Mayor shall cause the Voting Papers to be kept in the office of the Town Clerk during Six calendar Months at the least after every such election; and the Town Clerk shall permit any Burgess to inspect the Voting Papers of any year on payment of One Shilling for every search; and the Mayor shall publish a List of the Names of the Persons so elected, together with the number of Votes given in favour of each Person so elected, not later than Two of the clock in the afternoon of the day next but one following the day of such election.

38.
Result of Election how to be declared.

And be it Enacted, That on the First day of November in the year in which this Act shall come into operation in every Borough, and in every succeeding year, the Burgesses of that Borough shall elect from the Persons qualified to be Councillors, by a majority of votes, Two Burgesses who shall be and be called Auditors of such Borough, and Two Burgesses who shall be and be called Assessors of such Borough, and every such Auditor and Assessor shall continue in office until the Tenth day of November in the year following his election; and the election of such Auditors and Assessors respectively shall be in form and manner hereinbefore provided for the election of Councillors: Provided nevertheless, That in every such election of Auditors or Assessors, no Burgess shall vote for more than One Person to be an Auditor or Assessor: Provided also, That no Burgess shall be eligible to be or be elected such Auditor or Assessor as aforesaid, who shall be of the Council, or the Town Clerk or Treasurer of such Borough; and no Auditor or Assessor shall be eligible to be elected Alderman or Councillor, or appointed to be Town Clerk or Treasurer of the Borough, during the time of his being such Auditor or Assessor.

39.
Election of Auditors and Assessors.

And

40.
CLAUSE (H.)
Council to
appoint an
Alderman in
default of the
Mayor.

And be it Enacted, That if the Mayor of any Borough shall, at the time when it shall be necessary to execute the powers and duties herein provided with respect to electors, be dead, absent or otherwise incapable of acting, the Council of such Borough shall forthwith elect one of the Aldermen to execute all such powers and duties in his place, whose acts shall be as valid as any act of the Person instead of whom he shall have been so elected.

41.
CLAUSE (I.)
In case of ill-
ness of Alder-
man at Elec-
tion.

And be it Enacted, That in case of the illness or incapacity to act of any Alderman at any election, the Mayor shall be empowered to appoint another Alderman to act in the room of such Alderman during such illness or incapacity.

42.
CLAUSE (K.)
Assessor may
appoint a
Deputy.

And be it Enacted, That every Assessor shall be empowered, and he is hereby directed as soon as conveniently may be after his election, and from time to time as the occasion may arise or to him may seem fit, to appoint under his hand a deputy to act for him in case of his illness or incapacity to act at any election, or any revision of the Burgess Lists; and every such appointment shall be signified by him in writing, under his hand, to the Council, and shall be recorded on the minutes of their proceedings.

43.
Enabling
Mayors and
Councils to go
out of Office
on election of
Councils under
this Act.

And be it Enacted, That after the declaration of the first election of the Councillors under the provisions of this Act in any Borough, the Mayor, Aldermen and Common Councillors, and all other members of the Common Council or Governing Body of the Body Corporate, if any, named in conjunction with such Borough in the said Schedules (A.) and (B.), by whatever name or style they may be known or called, then in office, or elected to any office, shall go out of office, and their whole powers and duties shall cease: Provided nevertheless, That any of the said Persons shall be eligible to be elected and appointed under the provisions of this Act: Provided also, That such Persons as by virtue of any Charter are Justices of the Peace in any Borough at the time of passing this Act, shall continue to have and exercise all the powers which at the time of passing this Act they have as Justices of the Peace, until the First day of December next after the first election of Councillors under this Act in that Borough, and no longer.

44.
CLAUSE (L.)
Certain elec-
tions not to
be held.

And be it Enacted, That in every Borough in which by statute, charter, bye-law or custom, any election is appointed to be holden between the day on which this Act shall come into operation in that Borough and the Twenty-fifth day of October then next following, both inclusive, no such election shall be holden; but every Person holding office, or elected to any office in any Borough on the day on which this Act shall come into operation in that Borough, shall hold

hold such office, and have all the powers, and be subject to all the duties, and be entitled to the same or a proportion of the same salary and fees of such office for the time for which he shall act, as he would have had and been if elected to such office between the day on which this Act shall come into operation in that Borough and the Twenty-fifth day of October then next following, until the time provided by this Act for him to go out of office, any statute, charter, bye-law or custom notwithstanding.

And be it Enacted, That every Borough in the said Schedule (A.) shall, as soon as this Act shall come into operation in that Borough, be divided into the number of Wards mentioned in such Schedule, in conjunction with the name of such Borough: Provided, That Parliament, by an Act to be passed in this present Session, shall direct in what manner such division shall be made, and shall apportion among the several Wards of such Borough the number of Councillors and Aldermen mentioned in conjunction with the name of such Borough in the said Schedule, so that the number of Councillors assigned to each Ward may be a number divisible by Three, and the number of Aldermen One-third of the number of Councillors; and in that case the number of Councillors and Aldermen so assigned to each Ward of such Borough shall thenceforth be the number to be elected in such Ward as hereinafter mentioned.

45.
Certain Boroughs to be divided into Wards.

And be it Enacted, That in every case in which there shall be a division into Wards of any Borough, the Burgesses of every such Ward, and none others, shall, on the Twenty-fifth day of October next after such division, separately elect from the Persons qualified to be Councillors, the whole number of Aldermen and Councillors assigned to such Ward; and the One-fourth of the Persons so elected who shall have the greatest number of votes shall be the Aldermen of such Ward, and the remaining Three-fourths shall be the Councillors of such Ward; and the Burgesses of such Ward, and none others, in every subsequent year shall separately elect from the Persons qualified to be Councillors One-third part of the whole number of Councillors assigned to such Ward, and in every Third subsequent year One-half of the whole number of Aldermen assigned to such Ward, and on the First day of November next after the first election of Councillors in such Ward, and in every subsequent year, shall separately elect from the Persons qualified to be Councillors Two Assessors for such Ward, besides the Two Assessors chosen as aforesaid by the Burgesses of the whole Borough, to hold the Court with the Mayor for revising the Burgess Lists; and every such Ward election first after such division into Wards of any Borough shall be held before the Barrister appointed by the Lord Lieutenant as aforesaid, or the Person whom the said Barrister shall and is hereby required to

46.
Election of Councillors and Assessors in Wards.

appoint in that behalf, and in every succeeding year shall be held before the Alderman whom the Councillors chosen in such Ward shall yearly appoint in that behalf, and before the Two Assessors of such Ward; and the votings and other proceedings in all other respects at such Ward elections shall be conducted in the same manner as at elections of Aldermen, Councillors or Assessors respectively by the Burgesses of the whole Borough; and the Alderman and Assessors of each Ward, and the Persons who may be so appointed shall have the same powers in regard to elections in their Ward as the Mayor and Assessors for the whole Borough, if not divided into Wards; and every Person so elected an Alderman, Councillor or Assessor in such Ward shall hold his office for the same time that he would have held it if he had been elected by the Burgesses of the whole Borough, and if the number elected in such Ward had been the whole number for the Borough.

47.
Lists of the Burgesses in each Ward to be made out yearly.

And be it Enacted, That for the purpose of better ascertaining who are the Burgesses of any such Ward, the Burgess Roll of every Borough so divided into Wards shall thenceforward yearly be made out, by or under the direction of the Town Clerk, in Alphabetical Lists of the Burgesses in each Ward, to be called "Ward Lists."

48.
Burgesses to vote for the Councillors of the Ward in which their property is situate.

And be it Enacted, That after such division into Wards every Burgess of any Borough shall be entitled to vote in the election of the Aldermen and Councillors to be chosen within that Ward in which some part of the property of such Burgess, in respect of which he is enrolled on the Burgess Roll for the time being of such Borough, shall appear to be situated, and not otherwise; and in case it shall happen that any Burgess shall be entitled to be enrolled in respect of property in two or more Wards, then he shall, if otherwise duly qualified according to the provisions of this Act, be enrolled and vote in such one of the said Wards as he shall at the time of his enrolment select, by writing under his hand delivered to the Town Clerk, or left at his office on or before the Fifth day of September in any year, or, in default of his selection, as the Mayor shall determine, but not in more than one.

49.
Manner of proceeding, if any Person is elected a Councillor in more than one Ward.

And be it Enacted, That if at any election of Aldermen, Councillors or Assessors for any Borough, any Person shall be elected an Alderman, Councillor or Assessor in more than one of the Wards of such Borough, he shall, within Three Days after notice thereof, choose, or in his default the Mayor shall declare for which one of the said Wards such Alderman, Councillor or Assessor shall serve, and such Person shall thereupon be held to be elected in that Ward only which he shall so choose, or which the Mayor shall so declare.

And

And be it Enacted, That if any extraordinary vacancy shall be occasioned in the office of Councillor, Auditor or Assessor for any Borough, the Burgesses entitled to vote shall, on a day to be fixed by the Mayor of such Borough, or by the Alderman of the Ward in which the vacancy has happened, accordingly as the election is to be by the Burgesses of the whole Borough, or of any particular Ward (such day not to be later than Ten Days after such vacancy), elect from the Persons qualified to be Councillors another Burgess to supply such vacancy; and such election shall be held, and the voting and other proceedings, in case of a contest, shall be conducted in the same manner and subject to the same provisions as are hereinbefore enacted with respect to the election of Councillors as aforesaid; and every Person so elected shall hold such office until the time at which the Person in room of whom he was chosen would regularly have gone out of office, and he shall then go out of office, but shall be capable of immediate re-election, if then qualified as herein provided.

50.
Occasional
Vacancies of
Councillors to
be filled up
by fresh
Election.

And be it Enacted, That if any extraordinary vacancy shall be occasioned in the office of Alderman by reason of any Person who shall have been elected to such office not accepting the same, or by reason of his dying or ceasing to hold the said office, the Burgesses, in case no division into Wards shall have been made, and when such division shall have been made, the Burgesses of the Ward in which the vacancy may have occurred shall, within Ten Days after such vacancy, elect out of the Councillors, or Persons qualified to be Councillors of the Borough, another fit Person to be an Alderman of the Ward, instead of the Person so declining, dying or ceasing to hold office.

51.
Occasional
Vacancies in
the Office of
Aldermen to
be supplied.

And be it Enacted, That on the First day of November in every year, the Council of the Borough shall elect out of the Aldermen or Councillors of such Borough a fit Person to be the Mayor of such Borough, who shall continue in his office for One whole Year, and until the election of his successor; and in case of an equality of votes in any election of Mayor, the Alderman who shall have been elected by the greatest number of votes shall have a second or casting vote; and in case a vacancy shall be occasioned in the office of Mayor of the Borough during such year by reason of any Person who shall have been elected to such office not accepting the same, or by reason of his dying or ceasing to hold the said office, the Council of the Borough shall, within Ten Days after such vacancy, elect out of the Aldermen or Councillors of the said Borough another fit Person to be the Mayor thereof for the remainder of the then current year.

52.
Election of
Mayor by
Council.

53-
The Mayor to
be a Justice of
the Peace for
the Borough
and for the
County, and
Returning
Officer at
Elections of
Members to
serve in Par-
liament.

And be it Enacted, That the Mayor for the time being of every Borough shall be a Justice of the Peace of and for such Borough, and such Mayor shall, during his Mayoralty, have precedence in all places within the Borough; and in Boroughs which return a Member or Members to serve in Parliament, other than Cities and Towns which are Counties of themselves, shall be the Returning Officer at all elections for such Members; and such Mayor or other Returning Officer of any Borough shall, if he shall think fit, or if any Candidate shall require the same, be assisted in such of the said Boroughs as shall have a Recorder by the Recorder of such Borough as his Assessor at such election; and in case the Mayor shall, at the time when it shall be necessary to execute the powers and duties herein provided with respect to any elections, be dead or absent, or otherwise incapable of acting, the Council of such Borough shall forthwith elect one of the Aldermen to be the Returning Officer for such Borough in the place of the Mayor being so dead, absent or otherwise incapable.

54-
Mayor, Alder-
men and Coun-
cillors not to
act until they
have made a
Declaration
of nonopposi-
tion of office.

And be it Enacted, That no Person elected a Mayor, Alderman or Councillor, Assessor or Auditor for any Borough, or Ward of any Borough, under the provisions of this Act, shall be capable of acting as such, except in administering the Declaration hereinafter contained, until he shall have made and subscribed, before any Two or more of such Aldermen or Councillors (who are hereby respectively authorized and required to administer the same), a Declaration in the words or to the effect following; (that is to say)

" I, A. B., having been elected Mayor [or, Alderman, Councillor, Auditor or Assessor] for the Borough of [or, for the Ward of] in the Borough of] do hereby declare, That I take the said office upon myself, and will duly and faithfully fulfil the duties thereof according to the best of my judgment and ability."

And in the case of the Party being required to be qualified by estate, say,

" And I do hereby declare, That I am seised or possessed of 35
real or personal estate, [or both, as the case may be] to the amount of One thousand Pounds [or, Five hundred Pounds, as the case may require], over and above what will satisfy my debts."

Or when a qualification by reason of the occupancy of a house 40
value is allowed:

" That I now occupy and have for Twelve Months last past occu-
pied a house of the clear yearly value of Twenty-five Pounds,
or Fifteen Pounds [as the case may be], situate within the
Borough of

Provided

Provided that when a Borough rate shall have been imposed in any Borough under this Act, the words "rated as being of the value" shall be inserted instead of the words "of the clear-yearly value."

And that every Alderman who shall have made and subscribed the foregoing Declaration in respect of estate, shall once in every period of Three Years, if required in writing so to do by any Two Members of the Council, make and subscribe a Declaration that he is qualified to the same amount in real or personal estate, or both, as the case may then be, as the amount mentioned in the Declaration originally made or subscribed by him.

And be it Enacted, That every Person duly qualified, who shall be elected to the office of Alderman, Councillor, Auditor or Assessor, and every Councillor or Alderman who shall be elected to the office of Mayor for any Borough, shall accept such office to which he shall have been elected, or shall in lieu thereof pay to the Mayor, Aldermen and Burgesses of such Borough such Fine, not exceeding Fifty Pounds in case of Aldermen, Councillors, Assessors or Auditors, and such Fine not exceeding One hundred Pounds in case of Mayor, as the Council of such Borough, by a Bye-law to be made as hereinafter provided, shall declare in that behalf; and such Fine, if not duly paid, shall be levied by the Warrant of any Justice having jurisdiction within such Borough, who is hereby required, on application of the Council, to issue the same by distress and sale of the goods and chattels of the Person so refusing to accept such office, with the reasonable charges of such distress, and shall also be recoverable by way of Civil Bill in any action of debt, at the suit of the Mayor, Alderman and Burgesses of such Borough, in the Court of the Assistant Barrister, Chairman or Recorder having jurisdiction, by way of Civil Bill, within such Borough; and every such Person so elected shall accept such office, by making and subscribing the Declaration hereinbefore mentioned, within Five Days after notice of his election, otherwise such Person shall be liable to pay the said Fine as for his non-acceptance of such office; and such office shall thereupon be deemed to be vacant, and shall be filled up by a fresh election, to be made in the manner hereinbefore mentioned: Provided always, That no Person disabled by lunacy or imbecility of mind, or by deafness, blindness or other permanent infirmity of body, shall be liable to such Fine as aforesaid: Provided also, That every Person so elected to any such office, who shall be above the age of Sixty-five Years, or who shall have already served such office respectively or paid the Fine for not accepting such office respectively, within Five Years from the day on which he shall be so re-elected, shall be exempted from accept-

55-
Every Burgess
elected to the
office of Coun-
cillor, and
every Coun-
cillor elected
to the office
of Mayor or
Alderman
shall accept
the office, or
pay a Fine to
the Borough
Fund.

Exemptions.

ing or serving the same office, if he shall claim such exemption within Five Days after notice of his election; and that nothing herein contained shall extend to compel the acceptance of any office or duty whatever in any Borough by any Military, Naval or Marine Officer in Her Majesty's service on full pay, or any officer of Excise or Customs, or any Person employed in any of Her Majesty's Dockyards, Victualling Establishments, Arsenals or Barracks, or any person serving in the office of High or Sub-Sheriff of a county at large, or being a Member of either House of Parliament.

56.
 CLAUSE (3L)
 Provision for
 resigning
 office

And be it Enacted, That every Person elected into any corporate office in any of the said Boroughs, may at any time resign such office on payment of the fine which he would have been liable to pay for non-acceptance of the same office, or if he shall become entitled to claim exemption from payment of any such fine, or from accepting or serving such office under any provision hereinbefore contained.

57.
 Any Mayor,
 Alderman or
 Councillor, if
 he shall be
 declared
 Bankrupt or
 Insolvent, or
 absent himself
 from the
 Borough, shall
 lose his office.

And be it Enacted, That if any Person holding the office of Mayor, Alderman or Councillor for any Borough shall be declared Bankrupt, or shall apply to take the benefit of any Act for the relief of Insolvent Debtors, or shall compound by deed with his Creditors, or being Mayor be absent for more than Two calendar Months, or being an Alderman or Councillor for more than Six Months, at one and the same time (unless in case of illness or other reasonable cause to be allowed by the Council), from the Borough of which he shall be Mayor, Alderman or Councillor, then and in every such case such Person shall thereupon immediately become disqualified, and shall cease to hold the office of such Mayor, Alderman or Councillor as aforesaid, and in case of such absence shall be liable to the same Fine, to be recovered in the same manner as if he had refused to accept the said office; and the Council thereupon shall forthwith declare the said office to be void, and shall signify the same by notice in writing under the hands of Three or more of them, countersigned by the Town Clerk, to be affixed in some public place within the Borough, and the said office shall thereupon become void; but every Person so becoming disqualified, and ceasing to hold such office, on account of his being declared a Bankrupt, or of his applying to take the benefit of any Act for the relief of Insolvent Debtors, or having compounded with his Creditors as aforesaid, shall, on obtaining his Certificate, or on payment of his debts in full, be capable, if otherwise qualified, of being re-elected to such office; and every Person becoming disqualified to hold such office on account of absence as aforesaid shall, on his return to such Borough, be capable of being re-elected to such office, provided he shall then be otherwise qualified.

And

And be it Enacted, That if any Person shall act as Mayor, Alderman or Councillor, or Auditor or Assessor for any Borough, or for any Ward in any Borough, without having made the Declaration herebefore required in that behalf, or without being duly qualified at the time of making such Declaration, or after he shall have
 5 ceased to be qualified according to the provisions of this Act, or after he shall have become disqualified to hold any such office, he shall for every such offence forfeit the sum of Fifty Pounds, such sum to be recovered, with full costs of suit, by any Person who will
 10 sue for the same, within Three calendar Months after the commission of such offence, by action of debt or on the case, in any of Her Majesty's Superior Courts of Record; and every Person so sued by reason of not being so qualified in respect of estate shall prove that he was at the time of so acting qualified as aforesaid, or otherwise
 15 shall pay the said Penalty, without any further evidence being given on the part of the Plaintiff than that such Person has acted as the Mayor, or as Alderman, Councillor, Auditor or Assessor (as the case may be) of such Borough or Ward (as the case may be): Provided always, That it shall be lawful for any Defendant by Judge's order, or by the order of the Court, to be obtained within Fourteen Days after
 20 he shall have been served with process in any such action, to require the Plaintiff to give security for Costs; and in such case all further proceedings in the said cause shall be stayed until the Plaintiff shall give security to the satisfaction of the proper officer of the Court for the Costs of such action, in case a verdict shall pass for the Defendant, or the Plaintiff shall become nonsuit or discontinue such action, or if upon demurrer or otherwise judgment shall be given against the Plaintiff, and the Defendant shall in either of such cases recover his full
 25 Costs as between Attorney and Client: Provided also, That no such action shall be brought except by a Burgess of such Borough, nor unless the Burgess bringing the same shall, within Fourteen Days after the commission of the offence, have served a notice in writing personally upon the party committing such offence, of his intention to bring such action; and in case the Plaintiff in any such action shall
 30 obtain a verdict, the money so to be recovered shall, after payment of the costs and expenses attending the recovery thereof, be paid and apportioned as follows; (that is to say) one Moiety thereof to the Person so suing, and the other Moiety thereof to the Treasurer to be appointed by virtue of this Act, to be by him applied in aid of the Borough Fund: Provided also, That all acts and proceedings of
 40 any person in possession of the office of Mayor, Alderman, Councillor, Auditor or Assessor, and acting as a Mayor, Alderman, Councillor, Auditor or Assessor, shall, notwithstanding such disqualification or want of qualification, or any other defect or want of title, be as valid and effectual as if such Person had been duly qualified or entitled; and no Person enrolled on the Burgess Roll for the

Proviso.

time

time being of any Borough, and who shall act as Mayor, Alderman, Councillor, Auditor or Assessor in that Borough, shall be liable to any penalty for so acting, on the ground that he was not entitled to be on the Burgess List of such Borough.

59.
Persons con-
victed of
Bribery dis-
qualified from
voting at any
Election for
Members of
the Council.

And be it Enacted, That if any Person who shall have or claim to have any right to vote in any election of Mayor, or of an Alderman, Councillor, Auditor or Assessor of any Borough, shall, after the passing of this Act, ask or take any money or other reward by way of gift, loan or other device, or agree or contract for any money, gift, office, employment or other reward whatsoever, to give or forbear to give his vote in any such election; or if any Person, by himself or any Person employed by him, shall by any gift or reward, or by any promise, agreement or security for any gift or reward, corrupt or procure, or offer to corrupt or procure, any Person to give or forbear to give his vote in any such election, such Person so offending in any of the cases aforesaid shall for every such offence forfeit the sum of Fifty Pounds, to be recovered, together with full costs of suit, by any one who shall sue for the same by action of debt, bill, plaint or information, in any of Her Majesty's Courts of Record at Dublin; and any Person offending in any of the cases aforesaid being lawfully convicted thereof, shall for ever be disabled to vote in any election in such Borough, or in any Municipal or Parliamentary election whatever in any part of the United Kingdom, and also shall for ever be disabled to hold, exercise or enjoy any office or franchise to which he then shall or at any time afterwards may be entitled as a Burgess of such or any other Borough, as if such Person was naturally dead: Provided nevertheless, That if any Person offending in any of the cases aforesaid shall, within the space of Twelve calendar Months next after such election as aforesaid, discover any other Person or Persons offending in any of the cases aforesaid, so that such Person or Persons so discovered be therein convicted, such Person so discovering, and not having been before that time convicted of any such offence, shall be indemnified and discharged from all penalties and disabilities which he shall then have incurred by any such offence.

Persons
offending in
any of the
cases aforesaid, discover-
ing others so
offending
within Twelve
Months, dis-
charged from
all Penalties.

60.
No Person to
be made liable
to incapacity
or Penalty
unless Prosecu-
tion com-
menced within
Two Years.

Provided always, and it is hereby Enacted, That no Person shall be made liable to any incapacity, disability, forfeiture or penalty by this Act imposed, in any of the cases aforesaid, unless prosecution be commenced within Two Years after such incapacity, disability, forfeiture or penalty shall be incurred; any thing herein contained to the contrary notwithstanding.

61.
Questions to
be decided by
a majority of
Councillors
present; one-

And be it Enacted, That all acts whatsoever authorized or required by virtue of this Act to be done by the Council of any Borough, and all questions of adjournment, or others that may come before

before such Council, may be done and decided by the majority of the Members of the Council who shall be present at any Meeting held in pursuance of this Act, the whole number present at such Meeting not being less than One-third part of the number of the whole Council; and at all such Meetings the Mayor, if present, shall preside, and the Mayor, or in case of the absence of the Mayor, such Alderman or Councillor as the Members of the Council then assembled shall choose to be the Chairmann of that Meeting, shall have a second or casting vote in all cases of equality of votes; and Minutes of the Proceedings of all such Meetings shall be drawn up and fairly entered into a Book to be kept for that purpose, and shall be signed by the Mayor, Alderman or Councillor presiding at such Meeting; and the said Minutes shall be open to the inspection of any Burgess at all reasonable times on payment of a Fee of One Shilling: Provided always, That previous to any Meeting of the Council held by virtue of this Act, a Notice of the time and place of such intended Meeting shall be given Three clear Days at least before such Meeting, by fixing the said Notice on or near the door of the Town Hall of the Borough; and such Notice shall be signed by the Mayor, who shall have power to call a Meeting of the Council as often as he shall think proper; and in case the Mayor shall refuse to call any such Meeting after a requisition for that purpose, signed by Five Members of the Council at the least, shall have been presented to him, it shall be lawful for the said Five Members to call a Meeting of the Council, by giving such Notice as is hereinbefore required in that behalf, such Notice to be signed by the said Members instead of the Mayor, and stating therein the business proposed to be transacted at such Meeting; and in every case a summons to attend the Council, specifying the business proposed to be transacted at such Meeting, signed by the Town Clerk, shall be left at the usual place of abode of every Member of the Council, or at the premises in respect of which he is enrolled a Burgess, Three clear Days at the least before such Meeting; and no business shall be transacted at such Meeting other than is specified in the Notice: Provided always, That there shall be in every Borough Four quarterly Meetings in every year at which the Council shall meet for the transaction of general business, and no Notice shall need to be given of the business to be transacted on such quarterly days; and the said quarterly Meetings shall be holden at noon on the First day of November and at such hour on such other Three Days before the Twenty-fifth day of October then next following, as the Council at the quarterly Meeting in November shall decide, and the first business transacted at the quarterly Meeting in November shall be the election of Mayor.

third part of
whole number
to be a Quo-
rum.

62.
Power to
Council to
appoint Town
Clerk, Treas-
urer and
other Officers
and to take
Security for
due discharge
of their official
Duties.

And be it Enacted, That the Council of every Borough in every year shall appoint, to be removable at their pleasure, a fit Person, not being a Member of the Council, to be the Town Clerk of such Borough, and one other fit Person, not being a Member of the Council, to be the Treasurer of the Borough, and also such other Officers as have been usually appointed in such Borough, or as they shall think necessary for enabling them to carry into execution the various powers and duties vested in them by virtue of this Act, and may from time to time discontinue the appointment of such officers as shall appear to them not necessary, and shall take such security for the due execution of his office by any such Town Clerk, Treasurer or other Officer, as the said Council shall think proper; and shall order to be paid to the Mayor, and to the Town Clerk and Treasurer, and to every such other Officer to be employed as aforesaid, such Salary or Allowance as the said Council shall think reasonable; and in case of a vacancy in any such office as aforesaid, by death, resignation, removal or otherwise, the Council of such Borough may appoint another fit Person in the place of the Person so making such vacancy; provided that the Town Clerk and Treasurer shall not be the same Person.

63.
Officers to ac-
count, for
according to
the orders of
the Council.

And be it Enacted, That every Treasurer, Town Clerk, or other Officer appointed by the Council as aforesaid, shall, at such times during the continuance of his office, or within Three calendar Months after the expiration of his office, and in such manner as the said Council shall direct, deliver to the Council, or to such Person as they shall authorize for that purpose, a true account in writing of all matters committed to his charge by virtue of this Act, or under colour of his office, and also of all monies which shall have been by him received by virtue or for the purposes of this Act, or under colour of his office, and how much thereof shall have been paid and disbursed, and for what purposes, together with proper Vouchers for such payments, and also a List of the Names of all such Persons as shall not have paid the monies due from them for the purposes of this Act, and of the amount due from each of them; and every such Officer shall pay all such monies as shall remain due from him to the Treasurer for the time being, or to such Person as the said Council shall authorize to receive the same; and if any such Officer shall refuse or wilfully neglect to deliver such Account, or the Vouchers relating to such Account, or such List as aforesaid, or to make payment as aforesaid, or shall refuse or wilfully neglect to deliver to the said Council, or to such Person as they shall authorize, within Three Days after being thereunto required by notice in writing under the hands of any Three or more of the said Council, to be given to or left at the last place of abode of such Officer, all books, papers and writings

Summary
Remedy
against
Officers for
not account-
ing, &c.

writings in his custody or power relating to the execution of this Act, or to give satisfaction to the said Council, or to such other Person as aforesaid respecting the same, then and in every such case, upon complaint made on behalf of the said Council, by such Person as they shall authorize for that purpose, of any such refusal or wilful neglect as aforesaid, to any Justice of the Peace for the County or other Jurisdiction wherein such Officer so refusing or neglecting shall be or reside, such Justice is hereby authorized and required to issue a Warrant under his hand and seal for bringing such Officer before any Two Justices of the Peace for such county or jurisdiction; and upon the said Officer appearing or not being found, it shall be lawful for such Justices to hear and determine the matter in a summary way; and if it shall appear to such Justices that any monies remain due from such Officer, such Justices may and they are hereby authorized and required, upon non-payment thereof, by Warrant under their hands and seals, to cause such monies to be levied by distress and sale of the goods of such Officer; and if sufficient goods shall not be found to satisfy the said monies and the charges of the distress, or if it shall appear to such Justices that such Officer has refused or wilfully neglected to deliver such Account or the Vouchers relating thereto, or such List as aforesaid, or that any books, papers or writings relating to the execution of this Act remain in the hands or in the custody or power of such Officer, and that he has refused or wilfully neglected to deliver the same, or to give satisfaction respecting the same as aforesaid, then and in every such case such Justices shall and they are hereby required to commit such offender to the Common Gaol or House of Correction for the County or Jurisdiction where such offender shall be or reside, there to remain without bail until he shall have paid such monies as aforesaid, or shall have compounded with the said Council for such monies, and shall have paid such composition in such manner as they shall appoint (which composition the said Council are hereby empowered to make and receive), or until he shall have delivered a true account as aforesaid, together with such Vouchers and List as aforesaid, or until he shall have delivered up such books, papers and writings, or have given satisfaction in respect thereof to the said Council, or to such other Person as aforesaid, as the case may be: Provided always, That no Person so committed shall be detained in prison, for want of sufficient distress only, for a longer space of time than Three calendar Months: Provided also, That nothing in this Act contained shall prevent or abridge any remedy by action against any such Officer so offending as aforesaid, or against any Surety for any such Officer, but such Officer shall not be sued by action, and also proceeded against in a summary manner by virtue of this Act for the same cause.

Proviso.

Remedy by Action.

64.
Officers to
continue until
removed.

And be it Enacted, That the Council elected under this Act in any Borough shall have power to remove from his office every Town Clerk, Bailiff, Treasurer or Chamberlain, and every other ministerial or executive officer of such Borough and Body Corporate, except the Sheriff, who shall be in office at the time of the first election of Councillors under this Act; and every such Town Clerk, Bailiff, Treasurer or Chamberlain, and every other ministerial or executive Officer in such Borough, shall continue to act in the same capacity as heretofore, and to execute all the duties heretofore belonging to his office, and be entitled to have the same salaries, fees and emoluments as he would have had if this Act had not passed, until he shall be removed from his office, and no longer, unless he shall be re-appointed according to the provisions of this Act; and every Officer who shall be in possession or receipt of any monies, goods, valuable securities, books or papers, belonging to or concerning the Body Corporate, whose officer he is, shall deliver up and account for the same to the Council of such Body Corporate appointed under this Act; and in case they or any of them shall refuse or wilfully neglect to deliver such Accounts, Vouchers and Lists, or to make such payments, or to deliver such Books, Papers and Writings, or to give satisfaction respecting the same, as is hereinbefore provided in the case of Officers appointed by such Council, they and every of them may be proceeded against, and shall be subject and liable to the several provisions hereinbefore contained in cases of Officers appointed by such Council; and all the Charters, Deeds, Muniments and Records of every Borough, or relating to the property thereof, shall be kept in such place as the Council from time to time shall direct, and the Town Clerk for the time being shall have the charge and custody of and be responsible for the same.

65.
Officers to
receive Compensation on
removal.

And be it Enacted, That every Officer of any Borough or County who shall be in any office of profit at the time of the passing of this Act, whose office shall be abolished, or who shall be removed from his office under the provisions of this Act, or who shall not be re-appointed as aforesaid, shall be entitled to have an adequate compensation, to be assessed by the Council and paid out of the Borough Fund, for the salary, fees and emoluments of the office which he shall so cease to hold, regard being had to the manner of his appointment to the said office, and his term or interest therein, and all other circumstances of the case; and every Person entitled to such compensation as aforesaid shall deliver to the Town Clerk, or in case such Person shall himself be Town Clerk, then to the Treasurer of the Borough, a statement under the hand of such Person, setting forth the amount received by him or his predecessors in every year during the period of Five Years next before the passing

passing of this Act, on account of the salary, fees, emoluments, profits
 and perquisites in respect whereof he shall claim such compensation,
 distinguishing the office, place, situation, employment or appoint-
 ment in respect whereof the same shall have been received, and
 5 containing a declaration that the same is a true statement according
 to the best of the knowledge, information and belief of such Person,
 and also setting forth the sum claimed by him as such compensation;
 and the Town Clerk or Treasurer, as the case shall be, shall lay
 such statement before the Council, who shall take the same into
 10 consideration and determine thereon; and immediately upon such
 determination being made, the Person preferring such claim, if he
 shall not himself be the Town Clerk, shall be informed thereof by
 notice in writing under the hand of the Town Clerk; and in case
 such claim shall be admitted in part and disallowed in part, such
 15 notice shall specify the particulars in which the same shall have been
 admitted and disallowed respectively; and in case the Person pre-
 ferring such claim shall think himself aggrieved by the determination
 of the Council thereon, or in case One-third of the Members of the
 Council shall subscribe a protest against the amount of compensation
 20 allowed by the determination of the Council, as excessive, it shall be
 lawful for the Person preferring such claim, or any Member of the
 Council who shall subscribe such protest, to appeal to the Com-
 missioners of Her Majesty's Treasury, who shall thereupon make
 such order as to them shall seem just; and such order, signed by
 25 Three or more of such Commissioners, shall be binding on all
 parties: Provided always, That if the Council shall not determine
 on such claim within Six calendar Months after the aforesaid state-
 ment shall be delivered to the Town Clerk or Treasurer, as the case
 shall be, such claim shall be considered as admitted: Provided also,
 30 That it shall not be lawful for any Member of the Council to sub-
 scribe such protest as aforesaid, except within such period of Six
 calendar Months: Provided also, That the Person preferring such
 claim, if any Member of the Council shall so require, upon receiving
 notice in writing, signed by the Town Clerk, unless such Person
 35 shall himself be Town Clerk, in which case no such notice shall be
 requisite, shall from time to time attend at any meeting or adjourned
 meeting of the Council for the investigation of such claim, and then
 and there, upon his oath, or solemn affirmation, or his declaration, to
 be taken or made before the Mayor (who is hereby authorized to
 40 administer the same), shall answer all such questions as shall be asked
 by any Member of the Council, touching the matters set forth in the
 statement subscribed by such Person as aforesaid, and produce all
 books, papers and writings in his possession, custody or power re-
 lating thereto: Provided also, That every such Officer who shall be
 continued in or re-appointed to such office under the provisions of
 this Act, and who shall be subsequently removed from such office for
 451.

any cause other than such misconduct as would warrant removal from any office held during good behaviour, shall be entitled to compensation in like manner as if he had been forthwith removed under the provisions of this Act, and had not been continued in or re-appointed to such office.

66.
Compensation
to be secured
by Bond under
Common Seal.

And be it Enacted, That the value of the sum payable to any Person as such compensation as aforesaid, if not forthwith paid, shall be secured to such Person by bond or obligation under the common seal of the Borough, out of whose Funds the same shall be payable, in a sufficient penalty conditioned for the payment to such Person, his executors or administrators or assigns, of the value of such sum, with interest and all arrears thereof (if any) accrued due before the date of such bond; and such bond or obligation shall be prepared and executed at the expense of the Borough Fund, and delivered to the Person entitled to such compensation as soon as conveniently may be after the amount thereof shall have been admitted as aforesaid by the Council of the Borough; or shall have been determined in the event of such appeal as aforesaid by order of the said Lords Commissioners.

67.
Reservation
of certain
Pensions and
Allowances.

And be it Enacted, That all Pensions and Allowances granted on or before the Fifth day of June One thousand eight hundred and Thirty-five, by the Corporate Body named in the said Schedules, in conjunction with any Borough, to any retired Officer or servant, or to the widow or child of any Officer or servant, and all Stipends and Allowances which, during Seven Years next before the said Fifth day of June have been usually paid and granted to the Minister or late Minister of any church or chapel, or to the Master or Usher of any school, or to the Governor or Master of any hospital within such Borough, and all charitable allowances which have been usually paid as aforesaid to the inmates of any almshouses by such Corporate Body, shall be secured, as soon as conveniently may be after the passing of this Act, to every Person entitled or accustomed to have and receive the same by bond or obligation under the common seal of the Borough, out of whose Funds the same shall be payable, in a sufficient penalty conditioned for the payment to such Person, his executors and administrators, of such pension, stipend or allowance, with all arrears thereof, if any, accrued due before the date of such bond; and such bond or obligation shall be prepared and executed at the expense of the Borough Fund.

68.
Power to
Council to
appoint
Committee.

And be it Enacted, That it shall be lawful for the Council of any Borough to appoint out of their own body from time to time, such and so many Committees, either of a general or special nature, and consisting of such number of Persons as they may think fit, for any purposes

purposes which, in the discretion of such Council, would be better regulated and managed by means of such Committees: Provided always, That the acts of every such Committee shall be submitted to the Council for their approval.

69.
Charitable
Trustees.

AND whereas it is expedient that the administration of any real or personal estate of which any Body Corporate now stand seized or possessed, in trust as to the whole or in part for certain charitable trusts, be kept distinct from that of the Public Stock and Borough Fund; BE it Enacted, That in every Borough in which the Body Corporate or any one or more of the members of such Body Corporate, in his or their corporate capacity, now stands or stand solely or together with any Person or Persons elected solely by such Body Corporate, or solely by any particular member, class or description of members of such Body Corporate, seized or possessed for any estate or interest whatsoever, of any hereditaments or any sums of money, chattels, securities for money, or any other personal estate whatsoever, in whole or in part, in trust or for the benefit of any charitable uses or trusts whatsoever, all the estate, right, interest and title, and all the powers of such Body Corporate, or of such member or members, nominee or nominees of such Body Corporate in respect of the said uses and trusts, shall continue in the Persons who at the time of the passing of this Act are such Trustees as aforesaid, notwithstanding that they may have ceased to hold any office by virtue of which, before the passing of this Act, they were such Trustees, until the First day of May, in the year next after the year in which this Act shall come into operation in such Borough, or until Parliament shall sooner otherwise order, and shall immediately thereupon utterly cease and determine: Provided always, That if any vacancy shall be occasioned among the Charitable Trustees for any Borough before the said First day of May, it shall be lawful for the Lord Chancellor of Ireland, or Lords Commissioners for the custody of the Great Seal then for the time being, upon petition in a summary way, to appoint another Trustee to supply such vacancy; and every Person so appointed a Trustee as last aforesaid, shall be a Trustee until the time at which the Person in the room of whom he was chosen would regularly have ceased to be a Trustee, and he shall then cease to be a Trustee: Provided also, That if Parliament shall not otherwise direct, on or before the said First day of May, the Lord Chancellor of Ireland, or Lords Commissioners of the Great Seal, then shall make such orders as he or they shall see fit for the appointment of a Trustee or Trustees, and the administration of such trust estate, subject to such charitable uses or trusts as aforesaid; and thereupon the Trustee or Trustees so appointed, shall come in the room of the Body Corporate, or of such member or members, nominee or nominees of such Body Corporate as aforesaid, as to such trust estates, hereditaments and premises; and all

all the estate, right, interest and title at law and in equity of and in such trust estates, hereditaments and premises, shall forthwith, without any conveyance or assignment thereof, pass to and be vested in the Trustee or Trustees so appointed by the Lord Chancellor or Lords Commissioners of the Great Seal in Ireland.

70.
Council to
increase
Visitors and
Trustees of all
Acts of which
Corporations
were ex officio
sole Trustees,
&c.

And be it Enacted, That from and after the time when this Act shall come into operation in any Borough, the Body Corporate of such Borough shall be Trustees for executing, by the Council of such Borough, the powers and provisions of all Acts of Parliament made before the passing of this Act (other than Acts made for securing charitable uses and trusts), and of all trusts (other than charitable uses and trusts) of which the Body Corporate, or any member or members of the said Body Corporate, in their corporate capacity, was or were sole Trustees before the time of the first election of Councillors in such Borough under this Act.

71.
Council to
appoint a
limited num-
ber of Coun-
cillors to be
Joint Trustees
for certain
purposes.

And be it Enacted, That from and after the time when this Act shall come into operation in any Borough in which a particular or limited number, class or description of members of the Body Corporate or of Persons appointed by the Body Corporate, was or were before the passing of this Act, Trustees jointly with other Trustees for the execution of any Act of Parliament, or of any trust, in which any particular or limited number, class or description of members or nominees of the Body Corporate, by any statute, charter, bye-law or custom, was or were before the passing of this Act lawfully appointed to, or exercised any powers, duties or functions whatsoever not otherwise herein provided for, and the continuance of which is not inconsistent with the provisions of this Act, the Council of such Borough, on the day named in such Act as last aforesaid, or in the deed or will by which such trust is created, for a new election, nomination or appointment of Trustees, or on which such new election, nomination or appointment has usually been made, (and if there shall be no such day named or usually served, then on the First day of January in every year), shall appoint the like number of Members of the Council, or as near as may be to the like number of Members of the Council, as there were theretofore members or nominees of such Corporate Body who in right of their office were such Trustees, or charged with the execution of such powers, duties and functions, in room of the members or nominees of such Corporate Body ceasing to be Trustees, or ceasing to exercise such powers, duties and functions by virtue of this Act, and in every case of extraordinary vacancy among the Trustees or Persons so appointed by the Council, shall forthwith appoint one other Member of the Council in the room of the Person by whom such vacancy has been made, and to hold his trust or office for such time as the Person

Person by whom such vacancy has been made would regularly have held it.

And be it Enacted, That notwithstanding any thing in this Act contained, every Member of any Body Corporate who in his corporate capacity, and every nominee of any Body Corporate, or any particular number, class or description of Members of such Body Corporate, who at the time of the passing of this Act shall be for a definite number of years, or other shorter time, a Trustee of such acts or trusts as last aforesaid, shall continue to be such Trustee until the time when he would have ceased to be such Trustee if this Act had not been passed; and if a Trustee for an indefinite time, or for life, or for so long as he shall be a member, or of a particular class or description of such Body Corporate, then until the First day of January in the year following that in which this Act shall come into operation in that Borough, and no longer; and every member of the Council appointed under the provisions of this Act to be a Trustee of such acts or trusts as last aforesaid, shall continue to be such Trustee until the time herein provided for the new appointment of a Member of the Council to be Trustee in his room, notwithstanding that he may have ceased to be a Member of the Council; and in case any particular Member or Officer of any of the said Bodies Corporate shall have been appointed by any such Act, or by any such Trust, Deed or Will as last aforesaid, to perform during a definite number of years or other shorter time any specific powers, duties or functions whatsoever, the Person who at the time of the passing of this Act shall be the Person designated and qualified to perform the same, shall continue to perform the same until the time when he would have ceased to perform the same if this Act had not passed; and if appointed for an indefinite time, or for life, or for so long as he shall be a Member, or of a particular class or description of such Body Corporate, then until the last-named First day of January, and no longer.

72.
Persons
Trustees of
certain Acts
appointed for
a definite
time.

AND whereas it may be expedient that the powers now vested in the Trustees or Commissioners appointed under sundry Acts of Parliament for paving or lighting, or cleansing, or supplying with water, or improving certain Boroughs, or certain parts thereof, save and except as hereinafter mentioned, should be transferred to and vested in the Councils of such Boroughs respectively; BE it Enacted, That the Trustees or Commissioners appointed by virtue of any such Act as last aforesaid, wherein the Trustees, or the Persons whose Trustees they may be, are not beneficially interested, may, if it shall seem to them expedient, at a meeting to be called for that purpose, transfer in writing all the powers vested in them as such Trustees, by any such Act or Acts as aforesaid, to the said Body Corporate of such Borough; and

73.
Persons vested
in Trustees
may be trans-
ferred to
Councils.

and the said Body Corporate of such Borough shall thenceforth be Trustees for executing, by the Council of such Borough, the several powers and provisions of any such Act or Acts of Parliament, and the Members of the Council shall have the same powers and be subject to the same duties as if their names had been originally inserted in such Act or Acts (or as if they had been elected under the provisions of any such Act or Acts) as such Trustees respectively: Provided always, That nothing herein contained shall extend to enable the Commissioners for paying, cleansing and lighting the streets of Dublin, or the Commissioners for making wide and convenient streets in the City of Dublin, or the Corporation for improving the port and harbour of Dublin, so to transfer the powers vested in them respectively.

74.
A Watch
Committee to
consist of the
Mayor and
Councilmen;
such Com-
mittee to ap-
point Con-
stablies for the
Borough.

And be it Enacted, That the Council to be elected for any Borough, the City of Dublin only excepted, shall, immediately after their first election, and so from time to time thereafter as they shall deem expedient, appoint, for such time as they may think proper, a sufficient number of their own body, who, together with the Mayor of the Borough for the time being, shall be and be called the Watch Committee for such Borough; and all the powers hereinafter given to such Committee may be executed by the majority of those who shall be present at any meeting of such Committee, the whole number present at such meeting being not less than Three; and such Watch Committee shall, within Three Weeks after their first formation, and so from time to time thereafter as occasion shall require, appoint a sufficient number of fit men, who shall be sworn in before some Justice of the Peace having jurisdiction within the Borough, to act as Constables for preserving the peace by day and by night, and preventing robberies and other felonies, and apprehending offenders against the peace; and the men so sworn shall, not only within such Borough, but also within the County in which such Borough or part thereof shall be situated, and also within every County being within One mile of any part of such Borough, and also within all Liberties in any such County, have all such powers and privileges and be liable to all such duties and responsibilities as any Constable duly appointed now has or hereafter may have within his Constableness by virtue of the Common Law of his realm, or of any Statutes made or to be made, and shall obey all such lawful commands as they may from time to time receive from any of the Justices of the Peace having jurisdiction within such Borough, or within any County in which they shall be called on to act as constables, for conducting themselves in the execution of their office.

Constables
to be for the
County, &c.,
as well as
Borough.

75.
Watch Com-
mittee to
make Regula-

And be it Enacted, That the Watch Committee for any such Borough as aforesaid may from time to time frame such Regulations

as they shall deem expedient for preventing neglect or abuse, and for rendering such Constables efficient in the discharge of their duties; and the said Committee, or any Two Justices of the Peace having jurisdiction within the Borough, may at any time suspend or dismiss any Constable whom they shall think negligent in the discharge of his duty, or otherwise unfit for the same; and when any man shall be so dismissed, or cease to belong to the said Constabulary Force, all powers vested to him as a Constable by virtue of this Act shall immediately cease; and no man so dismissed as aforesaid shall be re-appointed without the consent of Two of the Justices of the Peace having jurisdiction within the Borough.

tion for the
Management
of the Con-
stables.

And be it Enacted, That it shall be lawful for any Constable, during the time of his being on duty, to apprehend all idle and disorderly Persons whom he shall find disturbing the public peace, or whom he shall have just cause to suspect of an intention to commit a felony, and deliver any person so apprehended into the custody of the Constable appointed under this Act, who shall be in attendance at the nearest Watch-house, in order that such Person may be secured until he can be brought before a Justice of the Peace, to be dealt with according to law, or may give bail for his appearance before a Justice of the Peace, if the Constable shall think fit to take bail, in the manner hereinafter mentioned.

76.
Power to
Constables to
apprehend
disorderly
Persons, &c.

And be it Enacted, That where any Person charged with any petty misdemeanor shall be brought, without the Warrant of a Justice of the Peace, into the custody of any Constable appointed under this Act, during his attendance in the night-time at any Watch-house within any such Borough as aforesaid, it shall be lawful for such Constable, if he shall think fit, to take bail by Recognizance, without any fee or reward, from such Person, conditioned that such Person shall appear for examination within Two Days before a Justice of the Peace within the Borough, at some time and place to be specified in the Recognizance; and every Recognizance so taken shall be of equal obligation on the parties entering into the same, and liable to the same proceedings for the estreating thereof, as if the same had been taken before a Justice of the Peace; and the Constable shall enter in a book to be kept for that purpose in every Watch-house, the names, residence and occupation of the party, and his surety or sureties, if any, entering into such Recognizance, together with the condition thereof, and the Sums respectively acknowledged, and shall lay the same before such Justice as shall be present at the time and place when and where the party is required to appear; and if the party does not appear at the time and place required, the Justice shall declare such Recognizance forfeited, and shall issue his Warrant, directing the amount thereof to be paid to

77.
Constables
attending at
the Watch-
houses in the
night may
take Bail by
Recognizance
from Persons
brought before
them for petty
Misdemeanors; such
Recognizance
to be condi-
tioned for the
appearance of
the Parties
before a
Magistrate.

In default of
appearance,
Recognizance
to be forfeited.

Time of hearing may be postponed.

the Treasurer of said Borough, and in default of payment, directing the Person mentioned therein to levy off the goods and chattels of the Person named therein, the amount secured thereby, and the costs of the sale and of such warrant, and the same shall be levied and paid to the Treasurer of said Borough; and the Justice shall, if he shall think fit, be at liberty to enlarge the Recognizance to such further time as he shall appoint; and when the matter shall be heard and determined, either by the dismissal of the complaint, or by binding the party over to answer the matter thereof at the Sessions, or otherwise, the Recognizance for the appearance of the party before a Justice shall be discharged without fee or reward.

78.
Penalties on Constables for neglect of duty.

And be it Enacted, That if any Constable of any Borough shall be guilty of any neglect of duty, or of any disobedience of any lawful order, every such offender, being convicted thereof before any Two Justices of the Peace, shall for every such offence be liable to be imprisoned for any time not exceeding Ten Days, or to be fined in any sum not exceeding Forty Shillings, or to be dismissed from his office, as such Justices shall in their discretion think meet.

79.
Penalty for assaults on Constables.

And be it Enacted, That if any Person shall assault or resist any Constable of any Borough appointed under this Act in the execution of his duty, or shall aid or abet any Person so to assault or resist, every such offender, being convicted thereof before any Two Justices of the Peace, shall for every such offence be liable to be imprisoned for any time not exceeding Two Months, or to be fined such sum not exceeding Five Pounds as the said Justices shall think meet: Provided always, That nothing herein contained shall prevent any prosecution by way of indictment against any Person so offending, but so as that such Person shall not be prosecuted by indictment, and also proceeded against under this Act for the same offence.

Proviso.

80.
Regulation and Payment of Expenses.

And be it Enacted, That the Treasurer of every Borough shall pay to the Constables of such Borough appointed under this Act such salaries, wages and allowances, and at such periods, as the Watch Committee for such Borough shall, subject to the approbation of the Council, direct; and the Council shall order to be paid also any extraordinary expenses which such Persons shall appear to have necessarily incurred in apprehending offenders and executing the orders of any Justice of the Peace having jurisdiction within such Borough, such expenses having been first examined and approved of by such Justice; and the said Treasurer shall also pay such further sums as the Watch Committee shall, subject to the approbation of the Council, award to any of the Persons belonging to the said Constabulary Force as a reward for extraordinary diligence or exertion, or as a compensation for wounds or severe injuries received in the performance

Rewards for activity, &c.

formance of their duty, or as an allowance to such of them as shall be disabled by bodily injury received, or shall be worn out by length of service, and all other charges and expenses which the Watch Committee shall, subject to the approbation of the Council, direct to be paid for the purposes of the Constabulary Force under this Act.

And be it Enacted, That any Two or more of the Justices of the Peace having jurisdiction within any Borough are hereby authorized and required, in the month of January in every year, to nominate and appoint, by precept in writing under their hands, so many as they shall think fit of the Inhabitants of such Borough (not legally exempt for serving the office of Constable) to act as Special Constables within such Borough, whensoever they shall be required by the warrant of any of the Justices of the Peace having jurisdiction within such Borough so to act, and not otherwise; and every such warrant shall recite that in the opinion of the Justice granting the same, the ordinary Police Force of the Borough is insufficient at that time to maintain the peace of the Borough; and every Person so appointed a Special Constable shall take the Oath set forth in the Act passed in the Session of Parliament holden in the second and third years of the reign of his late Majesty, intituled, "An Act for amending the Laws in Ireland relative to the appointment of Special Constables, and for the better preservation of the Peace," and shall have the powers and immunities and be liable to the duties and penalties enacted by the said last-mentioned Act; and every person so appointed a Special Constable shall receive out of the Borough Fund for every day during which he shall be called out to act as such, the sum of Three Shillings and Sixpence, and no more.

81.
Magistrates to appoint annually a certain number of Persons to act as Special Constables in case of need.

2 & 3 W. 4.
c. 100.

Payment of Special Constables.

And be it Enacted, That as soon as Constables shall have been appointed by the Watch Committee for any Borough, a Notice, signed by the Mayor of such Borough, specifying the day on which such Constable shall begin to act, shall be fixed on the door of the Town Hall and every place of public worship within such Borough; and on the day so specified in such notice so much of all Acts named in conjunction with such Borough in the Schedule (D.) to this Act annexed, and of all Acts made before the passing of this Act, as relates to the appointment, regulation, powers and duties, or to the assessment or collection of any rate to provide for the expenses of any Watchmen, for any place or places situate within such Borough, shall cease and determine; and all watch-houses and watch-boxes in any such place or places, and all arms, accoutrements and other necessities provided at the public expense for any Watchmen therein, shall be given up to such Persons as shall be named by the said Mayor in such notice, for the use and accommodation of the Constables

82.
On notice of appointment of Constables, the present provisions, in Local Acts, as to watching, &c. to cease.

Watch-boxes, Arms, &c., to be given up for the use of the Constables appointed under this Act.

Penalty for
not giving
them up.

stables to be appointed under this Act; and all the property so to be given up shall be deemed to belong to the Body Corporate of such Borough; and in case any person having the charge, control or possession of any watch-house, watch-box, arms, accoutrements or necessities as aforesaid, shall neglect or refuse to give up the same as hereinbefore required, every such offender, being convicted thereof before any Two Justices of the Peace, shall for every such offence forfeit and pay, over and above the value of the property not given up, such sum, not exceeding Five Pounds, as the said Justices shall think meet; and where there shall be any building in such place as aforesaid, a part only of which building shall have been heretofore used as a watch-house, such part shall be given up every day from the hour of Four in the afternoon until the hour of Nine in the forenoon, for the use and accommodation of the Constables to be appointed under this Act; and if any Person, having the charge, control or possession of any such building, shall neglect or refuse to give up such part thereof for the purposes aforesaid, or to permit free access thereto or egress therefrom during any portion of the time above prescribed, every such offender, being convicted thereof before any Two Justices of the Peace, shall for every such offence forfeit and pay such sum, not exceeding Five Pounds, as the said Justices shall think meet: Provided however, That nothing herein contained shall be construed to extend to or to affect the power of any Magistrate or Officer of Police appointed or acting under the provisions of an Act passed in the sixth year of the reign of his said late Majesty, intitled, "An Act to consolidate the Laws relating to the Constabulary Force in Ireland."

6 W. 4. c. 13.

83.
Proviso as to
Rates in Ar-
rear and as to
Debts.

Provided always, and be it Enacted, That any Rate or Presentment for defraying the expenses of any Watchmen in any such place or places as aforesaid, made previously to the day specified in such notice as aforesaid, shall be levied and collected in the same manner as if this Act had not been passed; Provided also, That nothing herein contained shall prevent the making, levying and collecting of any Rate or Presentment in any such place or places as aforesaid, for the purpose of paying any debt contracted before the passing of this Act, or the interest of any such debt, but that such Rate or Cess shall and may be levied and collected in the same manner as if this Act had not been passed.

84.
Regulations
to be observe
by Watch
Committee.

And be it Enacted, That the Watch Committee of every such Borough shall on the Tenth day of January, the Tenth day of April, the Tenth day of July, and the Tenth day of October in every year, transmit to the Lord Lieutenant of Ireland a Report of the number of men appointed to act as Watchmen in such Borough, and of the description of arms, accoutrements and clothing and other necessaries

ries furnished to each man, and of the salaries, wages and allowances payable to such Watchmen, and of the number and situation of all station-houses in such Borough, and also a copy of all rules, orders and regulations which shall from time to time be made by such Watch Committee, or by the Council of such Borough, for the regulation and guidance of such Watchmen.

AND whereas by the said Act passed in the sixth year of the reign of his said late Majesty, intituled, "An Act to consolidate the Laws relating to the Constabulary Force in Ireland," it is among other things enacted, that it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland to appoint from time to time at his will and pleasure, in and for each Barony, Half of Barony or other division of Barony in each County at large, one Chief Constable, two Head Constables and any number of Constables and Sub-constables not exceeding Sixteen: AND whereas the Force thereby provided is less than may in some cases be required in Baronies which comprize large Towns: AND whereas it is reasonable that the expense of the additional Force required in such Towns should be borne by such Towns, and not by the Counties at large in which they are situated; BE it therefore Enacted, That if any Council of any Borough named in the Schedule (A.) to this Act annexed, shall think it necessary that an additional Constabulary Force should be stationed in such Borough above the proportion of the said Force therein stationed under the provisions of the said last-recited Act, it shall be lawful for the Council of such Borough to present a Memorial to the Lord Lieutenant, setting forth the additional Constabulary Force which is required for the said Borough; and thereupon it shall be lawful for the Lord Lieutenant to add to the Constabulary Force of the County or Counties wherein such Borough shall be situated, any such number of Constables, Sub-constables and Officers of said Force not exceeding the number required by the said Council in their Memorial, as he shall think fit; and the amount of the Constabulary Force stationed in the said Borough shall be increased accordingly, and such additional Force shall form part of the general Constabulary Force, and be subject in all respects to the same rules and discipline as the residue of the said Force.

85.
Provision for
additional
Constabulary
Force.

And be it Enacted, That the expense of the said additional Force shall be advanced and defrayed in like manner as the expenses of the Force appointed by the last-recited Act are to be advanced and defrayed: Provided however, That no part of the expense of such increased Force shall be borne by the County or Counties at large in which such Borough shall be situated; but the said Borough for whose service the said increase shall be made, shall bear such proportion of such expenses as the Counties at large under the said last-recited Act are

86.
Payment of
the additional
Constabulary
Force.

bound to contribute towards the expenses of the Constabulary Force appointed for this service; and such expenses shall be paid out of the Borough Fund, and shall be paid by the Treasurer of the Borough to the person authorized to receive the monies which the County at large in which such Borough shall be situated is liable to pay towards the expenses of the said Force; and when any such Borough shall be situated in more than one County, then the Treasurer shall pay the said sums to such of the persons authorized to receive such payments from any of the said Counties as the Inspector-General of the Constabulary Force shall direct: Provided always, That it shall be lawful for the Lord Lieutenant, at any time he shall think fit, to reduce either in the whole or part the said additional Force; and it shall be also lawful for the Council of the said Borough in which such additional Force shall have been stationed, to present from time to time a Memorial to the Lord Lieutenant, stating that they are desirous that the said Force should be reduced in the whole or in part; and thereupon the Lord Lieutenant shall within Twelve calendar Months from the presentation of the said Memorial make the required reduction in the said Force.

87.
Power for
Council to
order parts of
Borough, not
within Local
Acts, as to
lighting, to be
included in
such Act.

AND whereas parts of certain Boroughs are within the provisions of one or more Local Act or Acts for regulating the lighting thereof, and certain other parts of the same Boroughs are not within the provisions of any Local Act for regulating the lighting thereof, and for want of such lighting the efficiency of the Watchmen may be much diminished, and great facilities afforded for the commission of crimes, and for the escape of the offenders; For Remedy thereof, BE it Enacted, That it shall be lawful for the Council of any Borough, in any part of which there is a Local Act for the lighting thereof, to make an order that any part of such Borough, not being within the provisions of any Local Act for the lighting thereof, shall, from and after a certain day to be named in such order, be taken to be within the provisions of such Local Act or Acts for lighting any part of such Borough as the Council shall specify in such order; and after such day the part named in such order shall be within the provisions of the Act or Acts so specified, so far as relates to lighting, or to any rates authorized to be levied for the purpose of lighting, as fully as if such part had been originally named in such Act or Acts, any thing in such Act or Acts to the contrary notwithstanding: Provided always, That every part named in such order shall be lighted in the like manner as those parts which before the making of such order were within the provisions of such Local Act, and that the Rate to be raised for the purpose of defraying the expenses of lighting any part so named in such order, shall not exceed the average expense in the pound of the lighting of the other parts of such Borough.

Proviso as to
amount of
Rate for light-
ing.

And

And be it Enacted, That if the Council of any Borough chosen under this Act shall, by public notice to be affixed on the outer door of the Town Hall, or in some public place within the Borough, declare, that on a certain day, to be named in such notice, not less than Twenty-one Days after the day on which such public notice shall have been given, they will take upon themselves the powers given to the Commissioners under an Act, made in the ninth year of the reign of his Majesty, King GEORGE the Fourth, intituled, "An Act to make Provision for the lighting, cleansing and watching of Cities, Towns Corporate and Market Towns in Ireland, in certain cases," so far as relates to the lighting of any part of such Borough, which is not within the provisions of any Local Act for lighting the same, the Council of such Borough shall, after the day named in such notice, have the same powers and duties as belong to Commissioners under the said last-recited Act, in regard to lighting and to levying rates for the purpose of lighting such part of the Borough, except so far as the same are contrary to or inconsistent with the provisions of this Act.

88.
Council may assume the Powers of Commissioners under 9 Geo. 4. c. 62. for paving, lighting or cleansing Streets of any Borough.

And be it Enacted, That the Council of every Borough, except the City of Dublin, shall in every year before the Tenth day of January cause an estimate and valuation to be made of the like property and in the same manner as the Commissioners appointed under the said recited Act of the ninth year of the reign of his Majesty King GEORGE the Fourth were authorized and required to do, which shall have the force and effect for One Year, from the Tenth day of January in every year in which it shall have been made, of any Estimate or Valuation made under the said Act; and in case any Person shall think that such Estimate is erroneous, either as being an excessive Estimate of property belonging to him, or an insufficient Estimate of property belonging to another, it shall be lawful for such Person at any time before the First day of February then next to appeal against such Estimate, and he shall in that case before that day deliver to the Town Clerk of such Borough a Notice signed by him, specifying which of the said objections to such Estimate he complains; and such Appeal shall be heard and determined in every Borough in which there shall be a Recorder under this Act by the Recorder of the Borough at the sitting of his Court held next after the expiration of Ten Days from the said First day of February; and when there shall be no such Recorder, it shall be heard and determined by the Assistant Barrister of the County having jurisdiction to hear and determine suits by Civil Bill for the district in which the property estimated shall be situated, at the Sessions held for such district next after the expiration of the said Ten Days; and such Recorder or Barrister shall have power to award to or against the Person appealing such costs, not exceeding Ten Shillings, as he shall think fit, and to issue a decree

89.
And (except in Dublin) make Estimates and Valuations of Property.

Appeal against such Estimate.

against the party appealing for any costs awarded against him, which shall have the force of a decree in a suit by Civil Bill; and in case he shall award costs to be paid to him, to make an order on the Treasurer of such Borough to pay the sum out of the Borough Rate, which order the said Treasurer shall obey; and the determination of such Recorder or Barrister shall be conclusive: Provided, however, That no such Recorder or Barrister shall entertain such appeal without proof that such notice as aforesaid was given; and provided also, That he shall not have power to inquire into any objection to such Estimate, save the one specified in such notice; and that if such appeal shall not be prosecuted effectually by the Person appealing, the Estimate shall be taken to be conclusive, notwithstanding such notice.

90.
Council to
have power
to make
Bye-laws.

And be it Enacted, That it shall be lawful for the Council of any Borough to make such Bye-laws as to them shall seem meet for the good rule and government of the Borough, and for prevention and suppression of all nuisances as are not already punishable under any Act already in force throughout such Borough, and to appoint by such Bye-laws such fines as they shall deem necessary for the prevention and suppression of such offences; provided, that no fine so to be appointed shall exceed the sum of Five Pounds, and that no such Bye-law shall be made unless at least Two-thirds of the whole number of the Council shall be present: Provided also, That no such Bye-law shall be of any force until the expiration of Forty Days after the same or a copy thereof shall have been sent, sealed with the seal of the said Borough, to the Lord Lieutenant, and shall have been affixed on the outer door of the Town Hall, or in some other public place within such Borough; and if at any time within the said period of Forty Days the Lord Lieutenant, with the advice of the Privy Council of Ireland, shall disallow the same Bye-law or any part thereof, such Bye-law or the part thereof disallowed shall not come into operation: Provided also, That it shall be lawful for the Lord Lieutenant, at any time within the said period of Forty Days, to enlarge the time within which such Bye-laws, if disallowed, shall not come into force; and no such Bye-law shall, in that case, come into force until after the expiration of such enlarged time.

91.
Clause (N.)
Bye-laws to
be printed.

And be it Enacted, That the Town Clerk of every Borough shall, under the directions of the Council thereof, cause all the Bye-laws and Regulations in force in such Borough from time to time to be printed in a uniform and convenient form, and shall keep copies thereof publicly affixed in the office of such Town Clerk, and in every public office and court of such Borough, of or belonging to or connected with the Corporation thereof, for the free and open inspection of all Persons, without any fee, at all reasonable hours;

hours; and shall deliver a copy of such Bye-laws and Regulations to any Person requiring the same, on payment of such reasonable price for the same as the Council shall from time to time direct; and if any Person shall wilfully and maliciously pull down, destroy or deface any copy of such Bye-laws and Regulations, which shall be so affixed as aforesaid, such Person shall for every such offence forfeit and pay any sum not exceeding Twenty Shillings: Provided further, That no Bye-law to be made by the Council of the Boroughs of Coleraine and Londonderry respectively shall be sent to the Lord Lieutenant until the same shall have been approved of by the Honourable Society of the Governor and Assistants of London of the new Plantation in Ulster, within the realm of Ireland.

And be it Enacted, That all the provisions hereinafter contained relative to offences against this Act, punishable upon summary conviction, shall be taken to apply to all offences committed in breach of any Bye-law or Regulation made by virtue of this Act.

92.
As to breaches
of Bye-laws.

And be it Enacted, That after the election of the Treasurer in any Borough, the rents, issues and profits of all hereditaments, estates and tenements, and the interest, dividends and annual proceeds of all monies, dues, chattels and valuable securities, except those held upon charitable trusts as aforesaid, belonging or payable to any Body Corporate named in conjunction with the said Borough in the said Schedules (A.) and (B.), or to any Member or Officer thereof in his corporate capacity, and every fine or penalty for any offence against this Act (the application of which has not been herein provided for) shall be paid to the Treasurer of such Borough; and all the monies which he shall so receive shall be carried by him to the account of a fund to be called "The Borough Fund."

93.
All Corporate
Property,
and all Fines,
to be received
on account of
the Borough
Fund.

And be it Enacted, That the Treasurer of any Borough shall pay no Money on account of the Mayor, Aldermen and Burgesses of such Borough, save only in such case as is provided by this Act, or upon the order in writing of the Council, signed by Three or more Members of the Council, and countersigned by the Town Clerk of such Borough, or for the payment of the Salaries granted to any Recorder or Police Magistrate as hereinafter provided, or by order of the Court of Sessions of the Peace for the Borough, or of a Justice of the Peace acting in and for the Borough in the discharge of his judicial duty, in such case as is provided by this Act, or in such case as a Court of Sessions of the Peace for any County, or a Justice of the Peace acting in and for a County in the discharge of his judicial duty, may make an Order for the payment of Money on the Treasurer of such County.

94.
Treasurer to
pay no money
but by Order
of Council.

95-
Salaries of
Recorder,
Town Clerk,
Treasurer and
other Officers,
and Election
Expenses, to
be paid out of
such Fund.

And be it Enacted, That the Borough Fund, subject to the payment of any lawful debt due from such Body Corporate to any Person, which shall have been contracted before the passing of this Act, and unredeemed, or of so much thereof as the Council of such Borough from time to time shall be required, or shall deem it expedient to redeem, and to the payment from time to time of the interest of so much thereof as shall remain unredeemed, and saving all rights, interests, claims or demands of all Persons or Bodies Corporate in or upon the real or personal estate of any Body Corporate by virtue of any proceedings either at law or in equity, which have been already instituted, or which may be hereafter instituted, or by virtue of any mortgage or otherwise, shall be applied towards the following purposes; that is to say, the payment of the salary of the Mayor and of the Recorder, and of the Police Magistrate, hereinafter mentioned, when there is a Recorder or Police Magistrate, and of the respective salaries of the Town Clerk and Treasurer, and of every other Officer whom the Council shall appoint, and also toward the payment of the expenses incurred from time to time in preparing and printing Burgess Rolls and Ward Lists and Notices, and in other matters attending such elections as are herein mentioned, and in Boroughs which shall have a separate Court of Sessions of the Peace, as is hereinafter provided, towards the expenses of the prosecution, maintenance and punishment of offenders committed from the Borough for trial at the Sessions of the Peace for such Borough, and towards the expense of providing and maintaining the corporate buildings, and in all Boroughs, save the City of Dublin, towards the paving, cleansing and lighting the streets of said Borough, and towards supplying the inhabitants with water, the payment of the watchmen, maintaining the peace and good order, and of all other municipal expenses which shall be necessarily incurred in carrying into effect the provisions of this Act; and in case the Borough Fund shall be more than sufficient for the purposes aforesaid, the surplus thereof shall be applied, under the direction of the Council, for the public benefit of the inhabitants and improvement of the Borough.

96.
Tolls or Dues
payable before
the passing of
this Act 1941 to
be altered or
reduced until
payment of
the Debt
chargeable
thereon.

Provided always, and be it Enacted, That it shall not be lawful for the Council to be elected under the provisions of this Act in any Borough in which the Body Corporate, named in conjunction with the said Borough in the said Schedules (A.) and (B.), before the time of the passing of this Act, shall have contracted any lawful debt, chargeable on any tolls or dues belonging or payable to the said Body Corporate, or to any Member or Officer thereof, in his corporate capacity, or towards the satisfaction whereof such tolls or dues, or any part thereof, were applicable before the passing of this Act, to alter or reduce the amount to be levied and payable of such tolls or dues, or to grant for any consideration any remission or exemption

exemption from such tolls or dues, or any part thereof, unless with the consent in writing, under the hands of a majority in number and amount of the creditors to whom such debt is due, until after such debt and all arrears of interest due thereon shall have been fully paid and satisfied.

And be it Enacted, That, in case after payment of all debts due from such Body Corporate, and contracted before the passing of this Act, and after satisfaction of all lawful claims upon the real and personal estate of such Body Corporate, the Borough Fund shall not be sufficient for the purposes aforesaid, or in case there shall be no Borough Fund, the Council of the Borough is hereby authorized and required from time to time to estimate, as correctly as may be, what amount, in addition to such fund, or when there shall be no such fund, will be sufficient for the payment of the expenses to be incurred in carrying into effect the provisions of this Act; and in order to raise the amount so estimated, the said Council is hereby authorized and required from time to time to order a Borough Rate to be made within their Borough, and for that purpose the Council of such Borough shall have within their Borough all the powers and authorities which any Commissioners in any Borough in Ireland have within the limits of their commission, by virtue of the said last-recited Act of the ninth year of the reign of his Majesty King George the Fourth, and shall observe and preserve the provisions thereof as if the same were herein recited, or as near thereto as the nature of the case will admit, except as is hereinafter excepted; and all such sums levied in pursuance of such Borough Rate shall be paid over to the account of the Borough Fund.

97.
Council
authorized to
raise Funds for
payment of
Expenses
incurred in
carrying this
Act into
execution.

Provided always, and be it Enacted, That in every case in which before the passing of this Act any Rate might be levied in any Borough, save the City of Dublin, for the purpose of watching solely by day or by night, or for the purpose of watching by day or by night conjointly with any other purpose, it shall be lawful for the Council of such Boroughs to levy a Watch Rate, not greater than the average yearly rate which, during the last Seven Years, or where such Rate shall not have been levied during Seven Years, then during such less number of years as such Rate shall have been levied, shall have been levied for the maintenance and establishment of Watchmen within the district in which such Rate was levied, and for that purpose the Council shall have all the powers hereinbefore given to the Council in the matter of the Borough Rate, and all such powers as were at the time of the passing of this Act vested in any Person or Persons for imposing or levying any such Rate; and where any part of any Borough shall not at the time of the passing of this Act be within the provisions of the Act authorizing the levy of such Rate for watching as aforesaid, it shall be lawful for the Council from time to

98.
Council
authorized to
levy a Watch
Rate.

time to order that such part, or so much thereof as to the Council shall seem fit, shall be rated to the Watch Rate in like manner as other parts of the Borough to be specified in such order; and such Watch Rate thereupon shall be levied within the part mentioned in such order, in like manner as in the other parts of the Borough so specified; and all such sums levied in pursuance of such Watch Rate shall be paid over to the account of the Borough Fund: Provided always, That no such order as last aforesaid shall be made for rating to such Watch Rate any part of any Borough in which at the time of passing this Act such Rate as aforesaid shall not be levied, and which is more than Two hundred Yards distant from any street or continuous line of houses which shall be regularly watched within the Borough under the provisions of this Act.

90.
Act not to
render Corpo-
rate Property
liable for
Debts not
chargeable
thereon, nor
to authorize
the levy of
new Rates for
payment of
Debts.

And be it Enacted, That nothing in this Act contained shall be construed to render liable to the payment of any debt contracted before the passing of this Act by any Body Corporate any part of the real or personal estate of the said Body Corporate which before the passing of this Act was not liable thereto, or to authorize the levy of any Rate within any part of any Borough for the purpose of paying any debt contracted before the passing of this Act, which before the passing of this Act could not lawfully be levied therein towards the payment of the same.

100.
Accounts of
Receipts and
Disburse-
ments to be
kept, audited
and published.

And be it Enacted, That the Treasurer of every Borough shall, in Books to be kept for that purpose, enter true accounts of all sums of money by him received and paid on account of the purposes of this Act, and of the several matters for which such sums shall have been paid; and the books containing such Accounts shall at all reasonable times be open to the inspection of the Mayor or any of the Aldermen or Councillors of such Borough; and all the Accounts, with all vouchers and papers relating thereto, shall in the Months of March and September in every year, be submitted by the Treasurer of the Borough to the Auditors hereinbefore provided to be elected, and to such Member of the Council as the Mayor shall name as a third Auditor on the First day of March in every year, or in case of extraordinary vacancy within Ten Days next after such vacancy, for the purpose of being examined and audited, from the First day of September in the year preceding to the First day of March, and from the First day of March to the First day of September in the year in which the said Auditors were elected and named; and if the said Accounts shall be found to be correct, the Auditors shall sign the same; and after such Accounts shall have been so respectively examined and audited in the Month of September in every year, each Treasurer shall make out in writing, and shall cause to be printed, a full Abstract of his Accounts for the year, and a copy thereof

thereof shall be open to the inspection of all the Rate-payers of such Borough, and copies thereof shall be delivered to all Rate-payers of such Borough applying for the same on payment of One Shilling for each copy.

5 AND whereas many of the said Municipal Corporations in Ireland have been and now are seised and possessed of or entitled to divers lands, tenements and hereditaments, and the same have been granted to them and ought to be vested in them for the public benefit of the said Boroughs respectively; and it is expedient to
10 make further provision than now by law exists for preventing or remedying the waste and misapplication of such property, and of all other property which may hereafter be so granted to or acquired by Municipal Corporations for Municipal purposes; BE it Enacted, That in case of waste or misapplication of any such property, or of
15 any breach of trust in respect thereof, or wherever the direction, decree or order of a Court of Equity shall be deemed necessary for the due administration and application of any such property, it shall be lawful for Her Majesty's Attorney General for Ireland, or for any Two or more Burgesses of such Borough, to present a Petition to
20 the Court of Chancery or to the Court of Exchequer in Ireland, stating such complaint, and praying such relief as the nature of the case may require; and it shall be lawful for the Lord Chancellor, Lord Keeper or Lords Commissioners of the Great Seal, or the Master of the Rolls, for the time being, and for the Court of Ex-
25 chequer, and they are hereby required, to hear such Petition in a summary way, and to direct all such Persons as they shall consider necessary to answer to same, and if necessary to issue a Commission for the examination of Witnesses, and on their depositions, or upon affidavits, or such other evidence as shall be produced upon
30 such hearing, to determine the same, and to give such relief and make such order therein, and with respect to the costs of such application, and to enforce the same by Injunction or otherwise, as to him or them shall seem just; and such Order shall be final and conclusive, unless the Party or Parties who shall think himself or
35 themselves aggrieved thereby shall, within Two Years from the time when such Order shall have been passed and entered by the proper Officer, have preferred an Appeal from such decision to the House of Lords, to whom it is hereby Declared and Enacted that an Appeal shall lie from such Order.

101.
Property,
remedy for
misappli-
cation of.

40 And be it Enacted, That neither the Petitions nor any proceedings upon the same or relative thereto, nor the copies of any such Petitions or proceedings, shall be subject or liable to the payment of any Stamp Duty, charge for Chancery or other Court Fund, or other public charge whatever, save only the actual expense of
45 making

102.
Proceedings
not liable to
Stamp Duty.

making a copy when any copy shall be required from any of such Courts.

103.
Power of
Sale and
Leasing
conferred.

And be it Enacted, That it shall not be lawful for the Council of any Body Corporate to be elected under this Act, to sell, mortgage or alienate the lands, tenements and hereditaments of the said Body Corporate, or any part thereof, except in pursuance of some covenant or contract or agreement bonâ fide made or entered into on or before the Fifth day of June in the year One thousand eight hundred and Thirty-five, by or on behalf of the Body Corporate of any Borough, or of some resolution duly entered in the corporation books of such Body Corporate on or before the said Fifth day of June, or to demise or lease, except in pursuance of some covenant, contract or agreement bonâ fide made or entered into on or before the said Fifth day of June, by or on behalf of such Body Corporate, or in pursuance of some resolution duly entered in the Corporation books of such Body Corporate, on or before the said Fifth day of June, except in the cases hereinafter mentioned, any lands, tenements or hereditaments of such Body Corporate or any part thereof, or to enter into any new contract or agreement, except in the cases hereinafter mentioned, for demising or leasing the said lands, tenements and hereditaments, or any part thereof, for any term exceeding Thirty-one Years from the time when such lease shall be made, or if made in pursuance of a previous agreement, then from the time when such agreement shall have been entered into; and in every lease which the said Council is not hereby restrained from making, there shall be reserved and made payable, except in the cases hereinafter mentioned, during the whole of the term thereby granted, such clear yearly rent as to the Council shall appear reasonable, without taking any fine for the same.

104.
Provision in
certain cases
of Leasing.

Provided always, and be it Enacted, That in all cases in which any Body Corporate shall, on the Fifth day of June in the year One thousand eight hundred and Thirty-five, have been bound or engaged by any covenant or agreement, express or implied, or have been enjoined by any deed, will or other document, or have been sanctioned or warranted by ancient usage, or by custom or practice, to make any renewal of any lease for years or for life or lives, or for years determinable with any life or lives, at any fixed or determinate or known or accustomed period, or after the lapse of any number of years, or on the dropping of any life or lives at a fine certain, or under any special or specific terms or conditions, and also in all cases in which any Body Corporate shall theretofore have ordinarily made renewal of any lease for years or for life or lives, or for years determinable with any life or lives at any fixed or determinate or known or accustomed period, or after the lapse of any

any number of years, or upon the dropping of any life or lives, upon the payment of an arbitrary fine, it shall be lawful for the Council of such Borough to renew such lease for such term or number of years, either absolutely or determinable with any life or lives, or for such life or lives, and at such rent, and upon the payment of such fine or premium, either certain or arbitrary, and with or without any covenant for the future renewal thereof, as such Body Corporate could or might have done in case this Act had not been passed: Provided nevertheless, That in every case in which such Council shall deem it expedient to sell and alienate, or to demise and lease for a longer term than Thirty-one Years, or upon different terms and conditions than those hereinbefore mentioned, any of the said lands, tenements or hereditaments, it shall be lawful for such Council to represent the circumstances of the case to the Commissioners of Her Majesty's Treasury, and it shall be lawful for such Council, with the approbation of the said Commissioners, or any Three of them, to sell, alienate and demise any of the lands, tenements and hereditaments of the said Body Corporate, in such manner and on such terms and conditions as shall have been approved by the said Commissioners: Provided always, That notice of the intention of the Council to make such application as aforesaid shall be fixed on the outer door of the Town Hall, or in some public or conspicuous place within the Borough, One calendar Month at least before such application; and a copy of the Memorial intended to be sent to the said Commissioners shall be kept in the Town Clerk's office during such calendar Month, and shall be freely open to the inspection of every Burgess at all reasonable hours during the same.

Provided nevertheless, and be it Enacted, That in any of the instances hereinafter mentioned it shall be lawful for the Council from time to time to demise and lease, or to enter into any contract or agreement for demising and leasing, either at a reserved rent or fine, or both, as the Council shall think fit, any of the said lands, tenements or hereditaments to any Person, Body Politic, Corporate or Collegiate, for any term not exceeding Seventy-five Years from the time of making such lease or agreement; (that is to say) of tenements or hereditaments, the greater part of the yearly value of which shall at the time of making the lease or agreement consist of any building or buildings of land or ground proper for the erection of any houses or other buildings thereupon, with or without gardens, yards, curtilages or other appurtenances to be used therewith; and where the Lessee or intended Lessee shall covenant or agree to erect a building or buildings thereon of greater yearly value than such land or ground, or land or ground proper for gardens, yards, curtilages or other appurtenances, to be used with any other house or other building erected or to be erected on any such ground,

105.
Leases of certain Buildings, and of Ground for building on, or for making Gardens, &c. may be made for Seventy-five Years.

ground, belonging either to such Body Corporate or to any other proprietor, or proper for any other purpose calculated to afford convenience or accommodation to the occupiers of any such house or building.

106.
Collusive Purchases, Sales, and Demises of Corporate Property since the 5th June 1835, for and in consideration, may be set aside.

And be it Enacted, That it shall be lawful for the Council first 5
to be elected in any Borough under the provisions of this Act to call
in question all purchases, sales, leases and demises not made in pursuance of some such bonâ fide covenant, contract, agreement or
resolution made and entered into as aforesaid before the said Fifth 10
day of June, and all contracts for the purchase, sale, lease or demise
of any lands, tenements and hereditaments, and all divisions and
appropriations of the monies, goods and valuable securities, or any part
of the real or personal estate, of which on or before the said Fifth 15
day of June the Body Corporate, of which they are the Council,
whether in their own right or as Trustees for charitable or other
purposes, was scised or possessed, which shall have been made
or contracted between the said Fifth day of June and the day of the
declaration of their election; and for that purpose, if it shall appear 20
to the said Council that there is ground for believing that any such
purchase, sale, lease or demise, or such contract, or such division or
appropriation of the premises, was collusively made for no consideration, or for an inadequate consideration, it shall be lawful for the
Council of such Borough, at any time within Six calendar Months
next after the first election of Councillors under this Act shall have 25
been declared in such Borough, upon notice of their intention being
first given in the Dublin Gazette, and also affixed on the outer door
of the Town Hall or in some public place within the Borough, to
cause the value of the lands, tenements, hereditaments and premises
in question to be inquired of and found by a Jury of Twelve indif- 30
ferent men of the County in which, or adjoining to which in the
case of all Counties of Cities and Towns Corporate, such lands,
tenements, hereditaments or premises do lie; and in order thereto
the said Council is empowered to summon and call before such Jury
all Persons having the custody and possession of any Deed or Agree- 35
ment concerning the said lands, tenements, hereditaments and pre-
mises made or entered into since the said Fifth day of June, and to
cause all such Deeds and Agreements to be produced before the said
Jury and examined by them, and to examine upon oath every Per-
son who shall be thought necessary to be examined (which oath the 40
Mayor is hereby empowered to administer); and the Council shall,
by ordering a view or otherwise, use all lawful means for the infor-
mation as well of themselves as of the said Jury in the premises;
and the Jury shall find the value of the said lands, tenements, hereditaments and premises, and the consideration which shall have been
given, and also that which ought of right to have been given, for the
purchase,

purchase, sale, lease, demise or appropriation thereof, according to
 the terms of such purchase, sale, lease, demise, contract or appro-
 priation, and taking into account all the circumstances under which
 the same shall have taken place; and if the Jury by their oaths shall
 find that no consideration, or a consideration less than that which
 they shall have so found to be the value which ought therefore to have
 been given, shall have been collusively given or contracted to be given
 by the terms of any such purchase, sale, lease, demise, contract or ap-
 propriation, the party to such purchase, sale, lease, demise, contract
 or appropriation shall have his option either to re-convey and restore
 the lands, tenements, hereditaments and premises in question, and
 to abandon the contract to which he shall have been party, upon
 receipt in each case of the consideration, if any, which he shall have
 given for the same, or to give therefor in each case such additional
 consideration, so that the whole consideration given shall be that
 which ought of right to have been given so found by the Jury as
 aforesaid; and in every such case as last aforesaid the additional
 consideration given or to be given shall be indorsed on the original
 deed or conveyance; and unless he shall so do within One calendar
 Month next after the finding of the Jury, every such purchase, sale,
 lease, demise, contract and conveyance shall be absolutely void and
 of none effect as against the said Body Corporate and their suc-
 cessors; and in every case in which any such contract shall have been
 abandoned as aforesaid, or in which any such purchase, sale, lease,
 demise, contract or conveyance shall become void and of none effect,
 under the provisions of this Act, the party who would otherwise have
 had the benefit of the same shall be remitted to his former estate, title
 and interest (if any) in the premises, as if no such contract, purchase,
 sale, lease or demise had been made or entered into; and for summon-
 ing and returning such Juries, and for imposing fines on the Sheriff, his
 deputy, bailiff or agent, and on the Persons summoned and returned
 on the said jury, and on any Person required to give evidence who
 shall in this behalf contravene the provisions of this Act, the Coun-
 cil of every such Borough shall have all the powers which the supe-
 rior Courts of Record in Dublin have; and all the costs of the said
 Jury, and of all witnesses tendered by the said Council to be ex-
 amined before the said Jury, shall in every case be borne by the
 Council, and paid out of the Borough Fund: Provided never-
 theless, That it shall be lawful for the Lord Lieutenant or other
 Chief Governor or Governors of Ireland for the time being, if he or
 they shall think fit, by the advice of the Privy Council, upon
 petition to him or them, setting forth the special circumstances
 under which any purchase, sale, lease, demise, contract or appro-
 priation of any of the said lands, tenements, hereditaments and
 premises shall have been made since the Fifth day of June, to
 order that the same shall not be called in question under the

provisions of this Act; and in such case as last aforesaid the same shall not be called in question or set aside or affected under the provisions of this Act: Provided also, That in every case in which such petition shall have been presented, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland for the time being, if he or they shall think fit, to enlarge the time within which (in case he or they shall not think fit to make such order as aforesaid) the Council may have power as aforesaid to call in question any purchase, sale, lease, demise, contract or appropriation referred to in such petition: Provided also, That nothing herein contained shall be construed to give or shall give any effect or validity to any sale, demise or other disposition of or any agreement relating to any lands, tenements, hereditaments or other property which at any time belonged to any Corporate Body, but that the validity of such agreement, sale, demise or other disposition shall be liable to be questioned in any Courts of Law or Equity by the Council of the Borough, or any Burgess or Freeman, or other Person, as fully as if this Act had not been passed.

107.
Sale of Advowson, &c.

And be it Enacted, That in every case in which a Body Corporate, or any particular class, number or description of Members, or the Governing Body of any Body Corporate now is or are in their corporate capacity, and not as Charitable Trustees, according to the meaning and provisions of this Act, seised or possessed of any manors, lands, tenements or hereditaments, whereunto any advowson or right of nomination or presentation to any Benefice, or Ecclesiastical Preferment is appendant or appurtenant, or of any advowson in gross, or hath or have any right or title to nominate or present to any Benefice or Ecclesiastical Preferment, every such advowson, and every such right of nomination and presentation shall be sold at such time and in such manner as the Ecclesiastical Commissioners for Ireland may direct, so that the best price may be obtained for the same; and it shall be lawful for the Council of such Body Corporate, and they are hereby authorized and required, with the consent of the said Commissioners, or any Three or more of them, in writing under their hands, to convey and assure under the common seal of such Body Corporate such advowson, or such right of nomination or presentation as aforesaid, to the Purchaser or Purchasers thereof respectively, his or their heirs, executors, administrators and assigns, or to such uses as he or they shall direct; and the proceeds of every such sale shall be paid to the Treasurer of the Borough, whose receipt shall be a sufficient and effectual discharge to the Purchaser or Purchasers to whom the same shall be given, for the amount of his or their purchase money; and it shall be lawful for the Council of such Borough to direct that such

such purchase money or any part thereof shall be applied towards the liquidation of any debt contracted before the passing of this Act by the Body Corporate now seized of or entitled to the property so sold; and if it shall not be so applied, it shall be invested in Government securities, for the use of the Body Corporate, and the annual interest payable thereon shall be carried to the account of the Borough Fund: Provided always, That in any case of vacancy arising before any such sale shall have taken place and been completed, such vacancy shall be supplied by the presentation or nomination of the Bishop or Ordinary of the Diocese in which such Benefice or Ecclesiastical Preferment is situated.

And be it Enacted, That the Council of every such Borough in which this Act shall be in operation, shall, before the First day of March in each year, transmit to the Lord Lieutenant or Chief Governor (for the time being) of Ireland, a Statement of all Monies received and expended on account of such Corporation within the year preceding, which Statement shall be prepared in such form and manner as the Lord Lieutenant shall direct, and such Accounts shall refer and be made up to the audit next before the First of January of the year in which such Account is hereby required to be so transmitted; and an Abstract of such Statements and Accounts, under general heads, shall be laid before both Houses of Parliament, during their sitting, in the same year in which they are hereby required to be transmitted as aforesaid.

And be it Enacted, That in the Counties of the Cities of Cork, Dublin, Kilkenny, Limerick, and Waterford, and in the Counties of the Towns of Carrickfergus, Drogheda and Galway, before the Twenty-ninth day of September in the year following the year in which this Act shall come into operation in each of the said Cities and Towns respectively, and every succeeding year, the Council shall name Three fit Persons to the Lord Lieutenant, and the Lord Lieutenant, if he think fit, may appoint one of the Three Persons so named to execute the office of Sheriff, or instead of appointing any one of the Three Persons so first named, the Lord Lieutenant, if he think fit, may require the Council to name to him Three other Persons, and may, if he think proper, appoint one of the Three Persons so last named to him, to execute the office of Sheriff, or in case the Council shall neglect or refuse to make either nomination as aforesaid, or in case the Lord Lieutenant shall disapprove of all the Six Persons so named to him, it shall be lawful for the Lord Lieutenant to appoint a fit Person to execute the office of Sheriff; and every Person so appointed shall have the like duties and powers as the Sheriffs or the Persons filling the office of Sheriff in the said Cities, Towns and Counties respectively would have had if this Act had not passed,

108.

Councils to transmit yearly Accounts of Income and Expenditure to Lord Lieutenant, and an Abstract thereof to be laid before Parliament.

109.

In Cities and Towns which are Counties, Sheriff to be appointed.

and shall continue in his office for One whole Year from the Twenty-ninth day of September, unless removed by the Lord Lieutenant; and in case a vacancy shall be occasioned in the office of Sheriff of such Borough during such period, by the death of the Person who shall have been appointed to such office, or his removal, another fit Person shall be appointed in like manner to be the Sheriff instead of the Person so dying or removed, who shall hold such office for the period during which the Person so dying or unless removed as aforesaid would have held it, and so from time to time as occasion may require; and every Person who, at the time when this Act shall come into operation in any of the said Cities or Towns, shall hold the office or execute the duties of Sheriff in the said Counties of Cities and Towns respectively, shall continue to hold and execute the same until the first appointment of a Sheriff therein under the provisions of this Act, and no longer.

110.
City and
County of
Londonderry
to be a
County, the
Sheriff of
which to be
nominated
by the Crown.

And be it Enacted, That, after the passing of this Act, a Sheriff of the County named the City and County of Londonderry shall be nominated and appointed by Her Majesty, Her Heirs and Successors, in the same manner to all intents and purposes as the Sheriff of any other County at large in Ireland is now nominated and appointed; and until the Sheriff first to be nominated and appointed for the said County of Londonderry under the Provisions of this Act shall enter upon his office, the Persons who at present fill the office of Sheriffs of the said City and County of Londonderry, or the survivor of them, shall be and remain the Sheriffs or Sheriff of the County of Londonderry, and shall fulfil and execute the duties of the said office.

111.
In certain
Boroughs,
Council to
appoint a
Coroner.

And be it Enacted, That the Council of every Borough in which a separate Court of Quarter Sessions of the Peace shall be holden, as is hereinafter provided, shall, within Ten Days next after the grant of the said Court shall have been signified to the Council of such Borough, appoint a fit Person, not being an Alderman or Councillor, to be Coroner of such Borough so long as he shall well behave himself in his office of Coroner, and shall fill up every vacancy in the office of Coroner of the Borough occurring by death, resignation or removal, within Ten Days next after such vacancy, and soon thereafter shall take any inquisition which belongs to the office of Coroner within such Borough save only the Coroner so long time to time to be appointed; and in such of the said Boroughs as are not Counties of Cities or Counties of Towns, every such Coroner, for every inquisition which he shall duly take within such Borough, shall be entitled to have the sum of Twenty Shillings, and also the sum of Nine-pence for every mile exceeding Two Miles which he shall be compelled to travel from his usual place of abode to take such inquisition

sition, to be paid by the Treasurer out of the Borough Fund of such Borough by order of the Court of Quarter Sessions for such Borough : Provided always, That no Person shall be elected as Coroner as aforesaid who shall not be seised or possessed of such an estate in some part of Ireland as would qualify him to serve as a Coroner for a County according to the Acts now in force in Ireland in relation to the office of Coroner ; and every such Person shall, before he acts as such Coroner, take and subscribe all oaths now required to be taken by a Coroner in Ireland, and shall be liable to be removed by the Court of Chancery in Ireland in the same manner as any Coroner in Ireland may now be removed by that Court.

And be it Enacted, That on or before the Tenth day of January in every year after the passing of this Act, every Coroner appointed in any Borough shall make and transmit to the Lord Lieutenant of Ireland a Return in writing, according to such form as the said Lord Lieutenant from time to time shall direct, of all the cases in which he may have been called upon to hold an inquest touching the cause of death of any Person during the year ending on the Thirty-first day of December immediately preceding, and a copy of the finding of the Jury on every such inquest.

112.
Coroners to
make Returns
to Lord
Lieutenant.

And be it Enacted, That in every Borough in and for which no separate Court of Sessions of the Peace shall be holden, no Person, after the First day of December next after the first election of Councillors under this Act in that Borough, shall take any inquisition which belongs to the office of Coroner within such Borough, save only the Coroner for the County at large in which such Borough is situated ; and in every Borough in which a Coroner shall not be elected, and acting under this Act, the Coroner for the County in which such Borough is situated, and in case of a county of a City or Town the Coroner of the adjoining County or any of them, shall take any inquisition which could be taken by a Coroner elected under this Act, and have all the powers and authorities of such Coroner ; and such Coroners of Counties at large, and the Coroners of each County of a City and County of a Town shall be entitled to be paid for the inquisitions which they shall duly take as aforesaid, in manner now provided for by law, and not otherwise.

113.
County
Coroners to
act in other
Boroughs.

And be it Enacted, That it shall be lawful for Her Majesty from time to time to assign to so many Persons as She shall think proper, Her Majesty's Commission to act as Justices of the Peace in and for each Borough, and in and for each of the Counties of Cities and Towns respectively named in the said Schedule (A.) to which

114.
Commission
of Justices
of Peace to be
issued for
certain
Boroughs.

Her Majesty may be pleased to grant a Commission of the Peace; Provided nevertheless, That every Person so to be assigned shall reside within the Borough for which he shall be so assigned, or within Seven Miles of such Borough, or of some part thereof, during such time as he shall act as a Justice of the Peace in and for such Borough.

115.
Councils may
make Bye-
laws on which
the Crown
may appoint
salaried Jus-
tices.

And be it Enacted, That if the Council of any Borough shall think it requisite that a salaried Police Magistrate or Magistrates be appointed within such Borough, such Council is hereby empowered to make a Bye-law, fixing the amount of the salary which he or they are to receive in that behalf; and such Bye-law so made by any Council as aforesaid shall be transmitted to the Lord Lieutenant of Ireland, and the Lord Lieutenant thereupon shall be authorized to appoint so many fit persons as are specified in the said Bye-law (being Barristers-at-Law of not less than Six Years' standing), to be, during Her Majesty's pleasure, Police Magistrate or Magistrates, and a Justice or Justices of the Peace for such Borough, and to direct that such sum shall be paid quarterly out of the Borough Fund of such Borough as will be sufficient to pay such yearly salary to each of the Justices so assigned as last aforesaid, not exceeding in the whole the salary mentioned in the prayer of such Petition, clear of all fees or deductions, as to the Lord Lieutenant shall seem fit; and the Treasurer of such Borough shall thereupon pay to each Justice so assigned as last aforesaid, out of the Borough Fund of such Borough, the salary so directed to be paid by Four equal quarterly payments, and in the same proportion up to the time of the death of such Justice, or his ceasing to act under such assignment as aforesaid; provided that in every case of vacancy of the office of Police Magistrate in any Borough aforesaid, no new appointment of Police Magistrate in such Borough shall be made until the Council shall again make application to the Lord Lieutenant in that behalf, and as in the case of the first appointment of a Police Magistrate in such Borough.

116.
Council to
provide a
Police Office.

And be it Enacted, That the Council of every Borough to which a separate Commission of the Peace shall be granted under the provisions of this Act shall be authorized and required to provide and furnish one or more fit and suitable office or offices, to be called "The Police Office" or Offices of the Borough, for the purpose of transacting the business of the Justices of the Borough, and to pay from time to time, out of the Borough Fund, such sums as may be necessary for providing, upholding and furnishing, and for the necessary expenses of such Police Office or Offices; and the Council of every such Borough shall, in case the Borough Fund shall

not

not be sufficient, or in case there shall be no Borough Fund, have the power of including in and paying out of the Borough Rate of such Borough such sum as shall be required for providing, upholding and furnishing, and for the necessary expenses of such Police Office or Offices; and no room in any house licensed as a Victualling-house or Alehouse shall be used for the purpose of any such Police Office.

And be it Enacted, That every Person assigned to keep the peace within any Borough under the provisions of this Act, or any of them, shall, during the continuance of such assignment, execute the duties of a Justice of the Peace in and for the Borough for which he shall have been so assigned, although such Person may not be a Burgess of the Borough in and for which he shall have been assigned to act as a Justice of the Peace; and although he may not have such qualification by estate as is required by law in the case of other Persons being Justices of the Peace for a County; so nevertheless that such Person be not disqualified by law to act as a Justice of the Peace for any other cause, or upon any other account than in respect of estate: Provided nevertheless, That no such person by any such assignment shall act as a Justice of Peace at any Court of Gaol Delivery, or General or Quarter Sessions, or in making or levying any County Rate, or rate in the nature of a County Rate.

117.
Justices need not be qualified by Estate.

And be it Enacted, That every summons for the appearance of any Person, or warrant to compel such appearance, or warrant for the apprehension of any Person charged with any offence, or search-warrant issued by any Justice of the Peace acting in and for any Borough in any matter within his jurisdiction, may be respectively served and executed within any county in which the said Borough shall be situated, or within any distance not exceeding Seven Miles from such Borough, and within such limits as aforesaid, shall have the same force and effect as if the same had been originally issued or subsequently indorsed by a Justice of the Peace having jurisdiction in the place where the same shall be served or, executed, any law, statute, charter or usage to the contrary notwithstanding; and every such summons and warrant shall and may be lawfully served or executed within such limits as aforesaid by the Constable to whom the same shall be directed, or by any Constable or other Peace Officer of the County, Borough, Parish or Place in which the Person named in such summons or warrant may be.

118.
CLARENCE (C).
How far Summons and Warrants may be enforced.

And be it Enacted, That it shall be lawful for the Justices of every Borough to which a separate Commission of the Peace shall be granted as aforesaid, at their first or any other Meeting, and they

119.
Justices to appoint a Clerk, who shall act as the Town Clerk or of

the Council,
nor be con-
cerned in the
Prosecution
of Offences
committed by
the Borough
Justices.

are hereby respectively required, to appoint a fit Person to be the Clerk to the Justices of such Borough, to be removable at their pleasure, and so as often as there shall be a vacancy in the said office of Clerk to the Justices by death, resignation, removal or otherwise; provided that it shall not be lawful for the said Justices to appoint or continue as such Clerk to the Justices any Alderman or Councillor of such Borough, or Clerk of the Peace of such Borough, or the Partner of such Clerk of the Peace, or any Clerk or Person in the employ of such Clerk of the Peace: Provided also, That it shall not be lawful for the said Clerk to the Justices, by him- self or his Partner, to be directly or indirectly interested or employed in the prosecution of any Offender committed for trial by the Justices of whom he shall be such Clerk as aforesaid, or any of them, at any Court of Gaol Delivery or General or Quarter Sessions; and any Person being an Alderman or Councillor, or Clerk of the Peace of any Borough, or the Partner or Clerk, or in the employ of such Clerk of the Peace, who shall act as Clerk to the Justices of such Borough, or shall otherwise offend in the premises, shall for every such offence forfeit and pay the sum of One hundred Pounds, one moiety thereof to the Treasurer of such Borough, to be paid over to the credit and account of the Borough Fund of such Borough, and the other moiety thereof, with full costs of suit, to any Person who will sue for the same in any of Her Majesty's Courts of Record at Dublin.

120.
Recorder to
be appointed
by Her Ma-
jesty in certain
Boroughs.

And be it Enacted, That the Council of every Borough, except the City of Dublin, which shall be desirous that a separate Court of Quarter Sessions of the Peace, or a Court of Record for the trial of Civil Actions, shall be or continue to be holden in and for such Borough, shall signify the same by Petition to the Lord Lieutenant and Privy Council in Ireland, setting forth the grounds of the application, and the salary which they are willing to pay to the Recorder in that behalf; and it shall be lawful for Her Majesty, if she shall be pleased thereupon to grant that a separate Court of Quarter Sessions of the Peace, or a Court of Record for the trial of Civil Actions, shall thenceforward be holden in and for such Borough, the Lord Lieutenant may appoint for such Borough, or for any Two or more of such Boroughs conjointly, a fit Person, being a Barrister-at-Law of not less than Six Years' standing, who shall be and be called the Recorder of such Borough or Boroughs, and shall hold such office during his good behaviour; and the Lord Lieutenant, upon any vacancy in any such office, may appoint another fit Person, being a Barrister-at-Law of not less than Six Years' standing, to be the Recorder in the place of the Person so making such vacancy; and the Council of every such Borough shall appoint a fit Person to be Clerk of the Peace during

during good behaviour; and the Recorder for the time being of any Borough shall be a Justice of the Peace of and for such Borough, although he may not have such qualification by estate as is required by law in the case of any other Person being a Justice of the Peace for a County; and such Recorder shall have precedence, in all places within the Borough of which he may be the Recorder, next after the Mayor thereof; and it shall be lawful for the said Lord Lieutenant to direct that an annual salary, not exceeding the sum stated in the petition of the Council, shall be paid to such Recorder by the Treasurer of such Borough out of the Borough Fund: Provided always, That no Person being such Recorder as aforesaid shall be eligible to serve in Parliament for such Borough, nor shall he be an Alderman, Councillor or Police Magistrate of such Borough: Provided nevertheless, That nothing in this Act contained shall be construed to disqualify any such Recorder from being eligible to sit in Parliament otherwise than is herein provided: Provided also, That in every Borough in and for which a separate Court of Sessions of the Peace or a Court of Record for the Trial of Civil Actions is now holden, and of which the present Recorder or Deputy Recorder is a Barrister of Six Years' standing, such Recorder or Deputy Recorder, being qualified as aforesaid, shall be continued or appointed a Recorder under the provisions of this Act, and shall be paid out of the Borough Fund the salary now payable to him by the Corporate Body: Provided also, That, in case of sickness or unavoidable absence, the Recorder of any Borough shall be empowered, with the consent of the Council, to appoint a Deputy Recorder, being a Barrister of Six Years' standing, to act for him at the Sessions of the Peace then next ensuing, and in such Court of Record for any time not exceeding Three calendar Months, and no longer or otherwise.

Recorder to be a Justice of the Peace for the Borough.

Not to be Councillor or Police Magistrate.

121.
CLAUSE (F.)
Recorder of the City of Dublin.

AND whereas it is expedient that provision should be made by a separate Act of Parliament for the trial of offenders, and of civil actions, in cases in which the Recorder or Lord Mayor of the City of Dublin now either solely or jointly with any Member or Members of the Corporation of the City of Dublin possesses jurisdiction; BE it Enacted, That until Parliament shall otherwise provide, the present Recorder of the City of Dublin and his successors in that office, shall have all such powers and authority for and incident to the trial of offenders and of civil actions, as are now vested in the said Recorder or Lord Mayor either solely or jointly with any other Member or Members of the Corporation of the Lord Mayor, Sheriffs Commons and Citizens of the City of Dublin; and if the Recorder for the time being shall vacate his said office before such provision as aforesaid shall have been made, the Lord Lieutenant shall appoint a fit person to be Recorder, in lieu of the Recorder so

vacating the said office ; and the Recorder so from time to time appointed shall have the like powers and authorities as are hereby given or continued to the present Recorder ; and the present Recorder and his successors in that office shall be entitled to such salary as the present Recorder is now entitled to, and out of the same funds ; and such Recorder and his successors in that office shall hold their office during good behaviour, or until Parliament shall otherwise provide as aforesaid. 5

122.
Justices to
swear Decla-
rations before
acting.

Provided nevertheless, and be it Enacted, That no Recorder or Person assigned as aforesaid to keep the peace within any such Borough shall be capable of acting as Recorder or Justice of the Peace within such Borough until he shall have taken the Oath provided to be taken by Justices of the Peace, except any Oath as to qualification by estate, and until he shall have made before the Mayor, or before any Two or more of the Aldermen or Councillors of such Borough (who is and are hereby authorized and required to administer the same), a Declaration in the following form ; (that is to say) 10 15

“ I, A. B., do hereby declare, That I will faithfully and impartially execute the office of Recorder [or, Justice of the Peace] for the Borough of _____ according to the best of my judgment and ability.” 20

123.
CLAUSE (Q.)
Sessions of the
Peace to be
held for the
Borough, of
which the Re-
corder is to be
the sole Judge.

And be it Enacted, That the Recorder of every Borough appointed under this Act, shall hold once in every quarter of a year, or at such other and more frequent times as the said Recorder in his discretion may think fit, or as Her Majesty shall think fit to direct, a Court of Quarter Sessions of the Peace in and for such Borough, of which Court the Recorder of such Borough shall sit as the sole Judge ; and such Court of Quarter Sessions of the Peace shall be a Court of Record, and shall have cognizance of all crimes, offences and matters whatsoever cognizable by any Court of Quarter Sessions of the Peace for counties in England ; and the said Recorder shall have power to do all things necessary for exercising such jurisdiction, notwithstanding his being such sole Judge, as fully as any such last-mentioned Court : Provided nevertheless, That no Recorder, by virtue of his office, shall have power to make or levy any county rate, or rate in the nature of a county rate, or to grant any license or authority to any person to keep an inn, alehouse or victualling-house, to sell exciseable liquors by retail, or to exercise any of the powers herein specially vested in the Council of such Borough. 25 30 35 40

124.
Mayors,
in the absence
of the Re-
corder, may

And be it Enacted, That in the absence of the Recorder and Deputy Recorder, the Mayor shall be authorized and required at the _____ the

the proper times appointed for the holding of such Court of Sessions of the Peace in and for such Borough to open the said Court, and to adjourn over the holding of the same, and to respite all recognizances conditioned for appearing at the same, until such further day as such Mayor then and there, and so from time to time, shall cause to be proclaimed: Provided nevertheless, That nothing in this Act contained shall authorize or require any such Mayor to sit as a Judge of the said Court for the trial of offenders, or to do any other act in the character of a Judge of such Court, save only in opening and adjourning the said Court, and respiting the said recognizances in manner aforesaid.

open and
adjourn the
Court.

And be it Enacted, That after the First day of January in the year following that in which this Act shall come into operation in any Borough, all powers and jurisdictions to try Treasons, Capital Felonies, and all other Criminal Jurisdictions whatsoever, granted or confirmed by any law, statute, letters patent, grant or charter whatsoever to any Mayor, Bailiff, Alderman, Recorder or other corporate or chartered Officer, or corporate or chartered Justice of the Peace whomsoever, in that Borough, except the Recorder of Dublin, and all right of any Body Corporate in that Borough, or any of the Members thereof, by virtue of any law, statute, letters patent, grant or charter whatsoever, to elect or nominate any Justices to keep the peace in or for any Borough, or by any Members of any such Corporate Body to act as such Justices of the Peace in or for any of the last-named Boroughs, other than is herein declared, shall cease: Provided nevertheless, That nothing in this Act contained shall be construed to restrain or prevent the holding of any Court of Gaol Delivery or General or Quarter Sessions of the Peace in and for any Borough for which such Court may now be holden, until the said First day of January, but every such Court may be holden in like manner and with the same powers, until the said First day of January, as if this Act had not been passed.

125.
Capital Juris-
dictions and
all other
Criminal
Jurisdictions
in Boroughs,
other than
now specified
in this Act,
abolished.

And be it Enacted, That after the last-named First day of January, every Person who shall then stand committed to take his trial at any Court of Gaol Delivery, General or Quarter Sessions of the Peace for any Borough, charged with any offence which the Recorder of such Borough, after the said First day of January, will not have the jurisdiction to try, may be lawfully removed and committed to the Gaol or House of Correction of the County in which or adjoining to which such Borough is situated, there to remain and take his trial at the next Court of Quarter Sessions for such County, if the offence is cognizable by a Court of Quarter Sessions, and if not, then before the Judges of Oyer and Terminer and Gaol Delivery at their next

126.
Offenders
committed
to Borough
Somewhere
Jurisdiction
is taken away,
to be tried in
the adjoining
County.

circuit; and all Persons bound by recognizance to prosecute and give evidence against such Offenders shall be bound to appear to prosecute and give their evidence at the Court at which such Offenders shall be tried as aforesaid; and all such recognizances, and all depositions relating to such charges, shall be transmitted to the proper Officer of the Court where such Offenders shall be tried; and the Sheriff, Under Sheriff, Gaolers and other Officers of the County in which such Offenders shall be so tried, are hereby authorized and required in every such case to receive every Prisoner so committed to their custody, and him safely to keep until delivered by due course of law; and the Judges of Assize and others named in Her Majesty's Commissions of Oyer and Terminer and Gaol Delivery, or the Justices for the County, as the case may be, in which such Offenders shall be tried, are hereby authorized and required to hear and determine all such cases, and to order the payment of the usual and fit expenses of the Prosecutors and Witnesses, and all other costs and expenses, which in like case may be directed to be paid by order of the Court.

127.
County Justices to have Jurisdiction in all Boroughs which have not a separate Court of Sessions of the Peace.

And be it Enacted, That after the last-named First day of January, the Justices assigned or hereafter to be assigned to keep the peace in and for the County in which any Borough is situated, to which Her Majesty shall not have granted that a separate Court of Sessions of the Peace shall be holden in and for the same, shall exercise the jurisdiction of Justices of the Peace in and for such Borough as fully as by law they and each of them can or ought to do in and for the said County; and no part of any Borough in and for which a separate Court of Quarter Sessions of the Peace shall be holden, shall be within the jurisdiction of the Justices of any County from which such Borough before the passing of this Act was exempt; any law, statute, letters patent charter, grant or custom to the contrary notwithstanding.

128.
Chartered Admiralty Jurisdiction abolished.

And be it Enacted, That from and after the passing of this Act, so much of all laws, statutes and usages, and so much of all royal and other charters, grants and letters patent heretofore granted to any Borough or Body Corporate, whereby such Borough or any place within the precincts or liberties of the same, or such Body Corporate, or the freemen or inhabitants of the same, claims or claim to be exempted and released from the jurisdiction and office of the Lord High Admiral of England, or of the High Court of the Admiralty of England or Ireland, or whereby any Body Corporate, or any Mayor, Bailiff, Recorder, Steward or other chartered or corporate Officer of any Borough has or claims any thing belonging to the office of Admiral, whether or not to be exercised by virtue of any commission to

to them or any of them to be directed, shall be and the same is hereby Repealed.

129.
*Jurisdiction
of Court of
Record.*

And be it Enacted, That in every Borough to which Her Majesty shall have granted a separate Court of Sessions of the Peace, or a Court of Record for the trial of Civil Actions as aforesaid, there shall
5 be holden or continue to be holden a Court of Record for the trial of Civil Actions, and the Recorder of such Borough shall be the sole Judge of such Court, and, in all cases where by charter or custom there is or ought to be holden such a Court of Record, shall have
10 jurisdiction to hold and continue such Court for the purpose of disposing of all causes pending therein at the time of the appointment of such Recorder, at such times and places, and with such rules and practice, and with the same powers and jurisdiction, as belonged to
15 the said Court at the time of the passing of this Act; and in all other causes such Recorder shall have jurisdiction to proceed either by process of attachment of goods or by serviceable process according to the provisions hereinafter contained, with authority to try in a summary way, as hereinafter provided, actions of assumpsit, covenant and debt, whether the debt be by specialty or on simple
20 contract; and all actions of trespass or trover for taking goods and chattels, provided the sum or damages sought to be recovered shall not exceed Twenty Pounds, and either the cause of action shall have accrued within such Borough, or the Defendant or one of the Defendants shall be resident therein; and also all actions of eject-
25 ment between landlord and tenant, wherein the annual rent of the premises of which possession is sought to be recovered shall not exceed Twenty Pounds; and also to try, according to the course of the common law, actions of assumpsit, covenant and debt, whether the debt be by specialty or on simple contract, and all actions of
30 trespass or trover for taking goods and chattels, provided the sum or damages sought to be recovered shall not exceed Fifty Pounds, and the cause of action shall have accrued within such Borough; and such actions shall not be removed or removable to any of Her Majesty's Superior Courts by Writ of Certiorari, or any other process save Writ of Error after Judgment, where the proceeding is accord-
35 ing to the course of the Common Law: Provided also, That every such Judge respectively from time to time may make rules for regulating the practice of such Court over which he presides, but so that no such rules shall be of force until they shall have been
40 allowed and confirmed by the Judges of Her Majesty's Court of King's Bench in Dublin, or any Three of them.

130.
*Appointment
of Clerk of the
Crown or
Clerk of the
Peace.*

And be it Enacted, That in every Borough, being a County of a City or County of a Town, wherein the office of Clerk of the Crown or Clerk of the Peace is now by law in the appointment of the Corporation

ration of such Borough, or any member or officer thereof, or held by any officer thereof in right of his office, and in every Borough, not being a County of a City or County of a Town, to which a separate Commission of the Peace shall be granted, it shall and may be lawful for the Lord Lieutenant to grant from time to time to any Person the offices of Clerk of the Peace and Clerk of the Crown of such Borough, or either of them; and the Clerk of the Peace of the County of Londonderry, and the Coroners of the said County, shall, whenever after the passing of this Act such offices respectively shall become vacant, be appointed and elected in the same manner as the Clerk of the Peace and Coroner of any other County at large in Ireland.

131.
Appointment
of Registrars of
Court of
Record, and
Clerk of Court
of Conscience.

And be it Enacted, That in any Borough wherein there shall be a Court of Record for the trial of Civil Actions, or a Court of Conscience, under the provisions of this Act, the Council shall appoint the Registrar of such Court of Record and the Clerk of such Court of Conscience respectively, and such other officers and servants as are necessary for carrying on the business and executing the process of such Courts respectively; and that no Registrar or other officer of such Court shall by himself or his partner practise as an Attorney in such Court.

132.
Existing Suits
not to abate
by reason of
the change of
Jurisdiction.

And be it Enacted, That no Suit commenced in any Court of Record in any Borough before the passing of this Act shall abate by reason of any change that shall have been worked in the constitution of such Court by the provisions of this Act, but that the same may be heard and determined as if it had been commenced before such Judge, according to the provisions hereinbefore contained in that behalf; and every Action, Suit and Proceeding in which any Corporate Body in conjunction with the name of any Borough mentioned in the Schedules to this Act is a party or interested, shall and may be carried on by or against the Mayor, Aldermen and Burgesses of that Borough.

133.
Who to be
Jurors.

3 & 4 Will. 4.
c. 91.

And be it Enacted, That from and after the time when this Act shall come into operation in any Borough, including the City of Dublin, every Person being a Burgess of any Borough wherein there shall be a separate Court of Sessions of the Peace, or a Court of Record for the trial of Civil Actions, (who would be qualified to serve on a Jury according to the provisions of an Act passed in the Session of Parliament holden in the third and fourth years of the reign of his late Majesty King WILLIAM the Fourth, intituled, "An Act for consolidating and amending the Laws relative to Jurors and Juries in Ireland,") shall be qualified and liable to serve on Grand Juries in such Borough, and also upon Juries for the trial of all Issues

Issues joined in any Court of Sessions of the Peace and in any
 Court of Record for the trial of Civil Actions, triable within the
 Borough of which such Person shall be a Burgess; and the Clerk of
 the Peace of every such Borough shall give public notice of the
 time and place of holding every such Sessions of the Peace Ten
 Days at least before the holding thereof, and in Boroughs being
 Counties of Cities or Counties of Towns, the Sheriff thereof, and
 in other Boroughs the Clerk of the Peace thereof, shall, Seven Days
 at the least before the holding thereof, cause to be summoned a
 sufficient number of Persons, being qualified and liable as aforesaid,
 to serve as Grand Jurors at such Sessions; and in Boroughs being
 Counties as aforesaid, the Sheriff, and in other Boroughs the Clerk
 of the Peace and Registrar of the Court of Record respectively,
 shall also cause to be summoned not less than Thirty-six nor more
 than Sixty Persons so liable and qualified as aforesaid to serve as
 Jurors at every such Sessions, and at the holding of every such
 Court of Record for the trial of causes; and such summons shall be
 made by showing to the Person to be summoned, or in case he shall
 be absent from the usual place of his abode, by leaving with some
 person therein inhabiting, a note in writing under the hand of such
 Sheriff, Clerk of the Peace or Registrar respectively, containing the
 substance of such summons; and such Sheriff or Clerk of the Peace
 respectively shall make out a List of the Names of such Persons so
 summoned as Grand Jurors; and such Sheriff, Clerk of the Peace
 or Registrar respectively shall also make out a Panel of such Persons
 so summoned other than Grand Jurors; and such List and Panel
 shall respectively contain therein the christian names and surnames,
 places of abode and descriptions of the several Persons therein
 named; and if any Person having been duly summoned to attend
 on any Jury shall not attend in pursuance of such summons, or,
 being thrice called, shall not answer to his name, or after his appear-
 ance wilfully withdraw himself from the presence of the Court, the
 Court shall impose such Fine upon every Person so making default
 (unless some reasonable excuse shall be proved to the satisfaction of
 the Court), as the Court shall think meet; and if any Person on
 whom such Fine shall be imposed shall refuse to pay the same to
 the Person who shall be authorized by the Court to receive the
 same, it shall be lawful for the Court then, or at its next sitting, by
 order of the Court, signed by the Clerk of the Peace or Registrar
 respectively, to cause to be levied, by distress and sale of the goods
 of the Person on whom such Fine shall have been imposed, every
 such Fine and the reasonable charges of such distress and sale; and
 every Fine so received shall be paid to the Treasurer of the Borough,
 to be by him carried to the account of the Borough Fund herein-
 before mentioned.

Fine for non-
 attendance.

134.
Justices, &c.
exempt from
serving on
Juries.

And be it Enacted, That after the time when this Act shall come into operation in any Borough, every Member of the Council for the time being of the Borough, and Justice assigned to keep the peace therein, and every Officer of Police therein, and the Treasurer and Town Clerk for the time being of every such Borough, shall be exempt and disqualified from serving on any Jury summoned within such Borough respectively, save and except the Juries summoned for an Assize or general Gaol Delivery.

135.
Court of
Record, pro-
ceeding in.
Attachment.

And be it Enacted, That in all cases of debt or liquidated damages, in which the Plaintiff shall be desirous of proceeding in the Court of Record of any Borough, except the City of Dublin, by way of attachment of goods, the Plaintiff or one of the Plaintiffs, or some Person able to depose to the facts of his own knowledge, shall first make affidavit before the Recorder or the Mayor (who is hereby empowered to take such or any other affidavits in the said Court) of the cause of action, and that the same has accrued within such Borough, or else, where the debt or damages do not exceed Twenty Pounds, that the Defendant, or one of the Defendants, is resident therein (describing such Defendant by his name, addition and residence particularly), and that the Deponent is apprehensive that such debt or damages is or are in danger of being lost to the Plaintiff, unless aided by process of the said Court to attach the goods of the Defendant, and thereupon it shall be lawful for such Recorder or Mayor to issue an attachment, directed to the proper Officer of the Court to be appointed in that behalf as aforesaid, requiring him, according to the Form Number 1, in Schedule (E.) to this Act annexed, to attach the goods of the Defendant within the Borough; and thereupon such Officer is hereby authorized and required to seize such goods, and to detain the same until the Defendant shall have given special bail to pay such sums of money as may be adjudged to the Plaintiff in that Suit, which bail may be taken either by the Recorder or by the Mayor of such Borough.

136.
Foreign
Attachment.

And be it Enacted, That in all Boroughs in which, by usage or charter, the goods, monies or credits of the Defendant may, by process of Foreign Attachment, be attached in the hands of a third Person, such process by Foreign Attachment may be proceeded upon in the Court of Record of such Borough under this Act, with such rules of practice and with the same powers and jurisdiction as belonged to the said Court at the time of the passing of this Act: Provided always, That no such Foreign Attachment shall be issued, unless a Common Attachment against the goods of the Defendant shall first have issued, and unless thereupon a further affidavit shall be made as aforesaid, describing the goods, monies or credits sought to be attached in the hands of such third Person, and stating that the

the same belong to the Defendant; and such third Person, in case he claims a property in such goods, shall be permitted to give bail for the same in manner aforesaid.

And be it Enacted, That upon the appearance of the Defendant upon any such Common Attachment, and upon the appearance of the Garnishee upon any such Foreign Attachment, the Plaintiff, in all cases where the debt or damages do not exceed Twenty Pounds, shall proceed by way of Civil Bill thereupon, and not according to the course of the Common Law, by filing such Civil Bill in the said Court, and giving notice in writing of such filing, together with a copy of such Civil Bill, to the party or his attorney in the proceeding.

137.
Where the
Proceedings
shall be by
Civil Bill.

And be it Enacted, That in all such cases, and in all other cases wherein the debt or damages do not exceed Twenty Pounds, and the Plaintiff shall elect to proceed by serviceable process only in such Court of Record, and in all cases of ejectment triable in such Court of Record, the proceeding shall be, as nearly as circumstances will admit, in the forms and according to the course and with such right of appeal to the Judge of Assize of the County in which such Borough, or any part thereof, shall be situate, or to one of the Superior Courts in the City of Dublin, as is by law provided in cases of Civil Bills determinable before the Assistant Barristers of Counties in Ireland, and in cases where the Plaintiff shall proceed in such Court according to the course of the Common Law, and shall recover in debt or damages an amount not exceeding Twenty Pounds, such Plaintiff shall not recover any costs of suit.

138.
Form of
Proceeding.

And be it Enacted, That any Attorney of any of the Superior Courts of Record in Dublin shall be admissible to practise in the Court of Record of any such Borough, without payment of any fee or stamp-duty upon such his admission, and may continue to practise therein so long as he continues an Attorney of some of the Superior Courts of Record aforesaid, and is in all other respects duly qualified to act and practise as such Attorney.

139.
Attorneys in
Court of
Record.

AND whereas in several of the Boroughs in Ireland there have been Courts for the recovery of small debts in a summary way, commonly called Courts of Conscience; and such Courts, when well regulated, have been found useful to the poorer inhabitants of the said Boroughs; and it is expedient to make new and further provisions for the establishment and regulation of such Courts in certain cases; BE it Enacted, That from and after the first election of the Council of any Borough under the provisions of this Act, all

140.
Court of
Conscience.

the powers, authorities and jurisdictions of the then existing Court for the recovery of small debts, commonly called the Court of Conscience in such Borough, whether same shall have been established by usage, statute or otherwise, shall wholly cease and determine, save only as to the execution of any decrees or orders of the said Court theretofore lawfully made; and that in every Borough in the Schedules to this Act annexed, in which there has been heretofore such a Court, or in which the Lord Lieutenant shall, upon the application of the Council, direct that there shall be such a Court, before the Mayor of the said Borough, or the Deputy of such Mayor duly appointed by him by writing under his hand, with the consent of the Council of such Borough, signified by a resolution of such Council duly convened for that purpose, a Court for the recovery of small debts, to be called the Court of Conscience of such Borough, and that the Mayor of the said Borough, or his Deputy for the time being duly appointed, shall be the Judge or President of such Court, and shall have full power and authority to hear and determine in a summary way causes in all small debts between party and party not exceeding in amount the sum of Forty Shillings, where the cause of action shall have accrued within the said Borough, or the Defendant shall reside within the same.

141.
Proceedings
in Courts of
Conscience.

And be it Enacted, That the said Court shall be held at such times and in such place within the said Borough as the Council of the said Borough shall direct and provide, and not otherwise; and that the proceedings in said Court shall be by summons, in the Form Number 2, specified in the Schedule (E.) to this Act annexed, stating the names of the Parties, Plaintiff and Defendant, the nature and amount of the debt, and the time and place when and where the Defendant is required to appear and answer the said claim; and such summons shall be served on the said Defendant personally, or in case of difficulty in effecting personal service arising from the acts or contrivance of said Defendant, by serving same in such manner as the President of the said Court shall direct; and in such case a copy of the order for such substitution of service shall be served along with and in the same manner as the summons; and in all cases the summons shall be served in manner aforementioned Twenty-four Hours at the least previously to the hearing of the cause; and in case the said Defendant shall appear, or if the Plaintiff shall prove by affidavit (which, and all other affidavits in the said Court, the President is hereby empowered to take) the due service of the said summons, or summons and order as aforesaid, the President of the said Court shall proceed to hear the said cause, and the statement of the said party or parties, or their attorney or attorneys, and all competent witnesses, and other legal evidence produced by them or either

either of them, and shall determine the same: Provided always, That it shall be lawful for either party to require the other to be examined upon oath touching the said claim, but that neither of the said parties shall be admitted by his own evidence, on oath or otherwise, to support his own case.

And be it Enacted, That upon such evidence as shall be adduced, and the admissions of the said parties, if required to be examined as aforesaid, the said President shall decide upon the case, and shall make an order either for the payment of the sum claimed by the Plaintiff or any part thereof, together with his costs of suit, according to a Table of Costs to be settled for said Courts in manner hereinafter provided, or for dismissing the said summons, and in such case to order the Plaintiff to pay to the Defendant his reasonable costs according to the said Table, or may adjourn the cause to some other day, as justice may require; and every such order shall specify a time within which such payment of debt and costs, or of costs, as the case may be, shall be made, either by instalments or otherwise; and every order dismissing such summons shall be expressed therein to be either "on the merits," or "without prejudice to any other proceeding for the said demand;" and in case the party against whom such order for the payment of the said debt and costs, or of such costs, shall be made, shall not pay the amount thereof pursuant to the terms of said order, it shall be lawful for the President of the said Court, upon affidavit made of the service of a copy of such order on such party personally, or at his dwelling-house, office or shop, or last known place of residence within the said Borough, and of the non-payment of any sum of money mentioned in such order, pursuant to the terms thereof, to issue his warrant under his hand to levy the amount thereof by distress and sale of the goods of the said party.

142.
Order of
Court of Com-
mon Pleas.

And be it Enacted, That no re-hearing of any cause shall be had in the said Court, except only in cases where the same shall have been dismissed, "without prejudice to any other proceeding," as aforesaid; and that if any Party shall think himself aggrieved by any such order of the said Court, either for payment of the said debt and costs, or for dismissing his cause on the merits as aforesaid, it shall be lawful for such Party to appeal therefrom to the Recorder of the said Borough, where there is a Recorder in the said Borough; provided that in case of such appeal, the Party so appealing shall give notice of such appeal to the President of the said Court, and also to the opposite Party in said cause; and said appeals may be forthwith proceeded upon before such Recorder at the Court of said Recorder, if then holden, or at the next or any subsequent Court of such Recorder to be held within Six calendar

143.
Appeal from
Court of Com-
mon Pleas.

Months from the time of the service of such order upon the Party so appealing; and such Recorder shall have full power and authority to proceed to hear such cause, and to rescind and vary or reverse or affirm said order, and in all or any of such cases to make such order, either for the payment of the said debt and costs, together with reasonable costs of such Appeal, pursuant to the said Table of Costs, or for the payment of such costs only as aforesaid as justice shall require; and in case of non-payment of the sum or sums of money mentioned in such order, on like affidavit of the due service thereof in manner aforesaid, to issue his warrant under his hand to levy the amount thereof by distress and sale of the goods of the said Party, in the same manner as the said President of the said Court of Conscience is hereby authorized: Provided always, That such notice of appeal shall not operate to stay execution of any order or warrant of the said President of the said Court of Conscience, unless the Party appealing therefrom shall enter into a bond to the Mayor of said Borough, by himself and Two Sureties jointly and severally bound in Double the amount of the sums mentioned in such order, that such Party so appealing shall prosecute such Appeal with effect; and in case such order shall be affirmed in the whole or in part on such Appeal, to pay the sum mentioned in such order of affirmation, either for debt and costs, or for costs: Provided always, That such Bond shall not be liable to any Stamp-duty.

144-
Books of
Proceedings to
be provided
and kept.

And be it Enacted, That the President of the said Court of Conscience, and the Recorder as Judge upon Appeals from the President or the Town Clerk under their orders respectively, shall make or cause to be made fair and regular entries in books to be provided by the Town Clerk under the direction of the Council for that purpose, of all judgments, orders, directions, regulations, acts and proceedings of them the said President and Recorder respectively, in or relating to the execution of the several powers and authorities vested in them as Judges in the first instance, and upon appeal in such Court as aforesaid, and shall respectively sign the same; and such entries when so signed shall be allowed in evidence in proof of the proceedings of such Court in all Courts whatsoever; and if any Person within the jurisdiction of the said Court, after having been duly served with a summons to be issued by the Clerk thereof, and paid or tendered his reasonable expenses to attend and give evidence, at a time and place in such summons mentioned, on behalf of any Plaintiff or Defendant, shall refuse or neglect to appear pursuant to such summons, due proof being made of the service of such summons, and no sufficient cause for his non-appearance being shown to the satisfaction of the Court upon affidavit, or if the Person so served with such summons shall appear and refuse to give evidence touching the matter in question, then and in every such case it shall be

be lawful for such President or Recorder, as the case may be, if satisfied upon affidavit that such Person not appearing was duly served with such summons, and was a material witness for the party on whose behalf he was so summoned, or that such Person appearing and refusing to give evidence as aforesaid was a material witness for the party on whose behalf he was called, to impose any Fine not exceeding Fifty Shillings on every such Person; and in case such Fine shall not be paid forthwith, such Fine may be levied by distress and sale of the goods of the offender, by warrant under the hand of such President or Recorder, as the case may be, rendering the overplus (if any), after deducting such Fine and the costs and charges of such distress, to the owner of the goods; and such Fine when levied shall be paid over to the party on whose behalf such Person shall have been summoned or called upon to give evidence; and in case any Person shall be guilty of a contempt of the said Court, it shall be lawful for such President or Recorder to direct that such offender be taken into custody, and any Officer of the Court, with or without the assistance of any other Person, may take such offender into custody accordingly; and the said President or Recorder shall then examine into such contempt, and then upon his own view, or upon oath of One or more other Persons, impose a Fine not exceeding Fifty Shillings for each offence on each offender; and if such Fine shall not be forthwith paid, such President or Recorder may commit the offender to any lawful prison within such Borough for any time not exceeding Twenty Days, or such Fine may be levied by distress and sale of the goods of the offender in manner aforesaid, and paid to the Treasurer of such Borough to the credit of the Borough Fund, and such offender may be detained in custody until the rising of the Court on the day of his offence, and for One Hour after.

And be it Enacted, That the Council of every Borough shall and they are hereby required, within Six calendar Months next after their election, to make and settle a Table of the Fees which shall be taken by the Clerk of the Peace in those Boroughs in which a separate Court of Session of the Peace shall be holden, and in those Boroughs in which there shall be a Court of Record and a Court of Conscience, a Table of the Fees to be taken by the Registrar and Officers of such Courts; and such Tables of Fees shall be submitted to the Chief Secretary or Under Secretary of the Lord Lieutenant of Ireland, and when such Tables of Fees shall be confirmed and allowed by such Chief Justice or other Justices, or any Three of them, either as such Table shall have been submitted to them, or with such alterations, additions or abatements as they shall think proper, the Fees therein mentioned may thenceforth be lawfully taken by the Person therein named to be entitled thereunto; and it shall

145-
Fees payable
to the Clerk
of the Peace,
Clerk to the
Magistrate,
and Registrar
and Officers
of the Court
of Record.

be lawful for the Council of such Borough, from time to time as occasion may require, to make new Tables of Fees, to be taken instead of the Fees contained in the Tables which shall have been made as aforesaid, which new Tables shall be confirmed and allowed in the manner hereinbefore mentioned, otherwise the same shall be of no validity; and that until Tables of the Fees so to be taken in any such Borough shall have been made and confirmed as aforesaid, it shall be lawful for such Clerk of the Peace at the Sessions for any such Borough to take the Fees authorized by the Table for the time being to be taken by the Clerk of the Peace at the Sessions for the County within or adjoining to which such Borough is situated, and for the Registrar and Officers of such Court of Record or Court of Conscience to take the Fees usually taken by them before the passing of this Act.

146.
Clerks to
Justices to be
entitled to
Fees charge-
able under Act
7 & 8 Geo. 4.

And be it Enacted, That in those Boroughs to which a Commission of the Peace shall have been granted, the Clerk to the Justices shall be entitled to such Fees (and no other) as are chargeable by and under an Act passed in the Session of Parliament holden in the seventh and eighth years of the reign of his Majesty King George the Fourth, intituled, "An Act for the better Administration of Justice at the holding of Petty Sessions by Justices of the Peace in Ireland," subject to such orders of the Justices as in that Act provided.

147.
Tables of Fees
to be hung up.

And be it Enacted, That the Town Clerk of every Borough shall cause a true copy of the Tables of Fees in force for the time being to be hung up in a conspicuous part of the room in which the business of his office is transacted, and also in the room wherein the Justices of the Peace of such Borough shall sit for transacting their business, and also in the room wherein the Court of Sessions of the Peace for the Borough shall be held, and also in the Court of Record and Court of Conscience of the said Borough respectively.

148.
Application of
Penalties.

And be it Enacted, That when by any Act any penalties or forfeitures are or shall hereafter be made recoverable in a summary manner before any Justice or Justices of the Peace and by such Act respectively, the same are or shall be limited and made payable to Her Majesty, or to any Body Corporate, or to any Person whomsoever, save and except the informer who shall sue for the same, or any party aggrieved, in every such case the same, if recovered and adjudged before any Justice of any Borough in which a separate Court of Sessions of the Peace shall be holden as aforesaid, shall, notwithstanding any thing in such Act respectively contained, be recovered for and adjudged to be paid to the Treasurer of such Borough for the time being, to the credit and on account of the Borough Fund of such Borough; and no such penalty or forfeiture,

or share of such penalty or forfeiture, shall in any case be recovered by or adjudged to be paid to any other Person than the said Treasurer, unless such Person be the informer or the party aggrieved: Provided always, That nothing herein contained shall extend to any penalties or forfeitures recovered under any Act relating to the Customs, or to Trade or Navigation, and sued for by the direction of the Commissioners of Her Majesty's Customs, which shall be paid to such Person as the said Commissioners shall direct to receive the same.

AND for the more effectual prosecution of offences punishable upon summary conviction by virtue of this Act, BE it Enacted, That the prosecution for every such offence shall be commenced within Six calendar Months after the commission of the offence, and not otherwise; and that where any Person shall be charged, on the oath of a credible witness, with any such offence before a Justice of the Peace, the Justice may summon the Party charged to appear before any Two Justices of the Peace acting in and for the Borough in which such offence shall have been committed, at a time and place to be named in such summons; and if such Party shall not appear accordingly, the Justices of the Peace then and there present (upon proof of the due service of the summons, by delivering a copy thereof to the Party, or by delivering such copy at the Party's usual place of abode to some inmate thereof, and explaining the purport thereof to such inmate,) may either proceed to hear and determine the case in the absence of the Party, or may issue their warrant for apprehending and bringing such Party before them, as they shall think proper.

149.
Limitation of time for prosecution of offences punishable on summary conviction under this Act, and summons of offenders.

And be it Enacted, That it shall be lawful for any Justice of the Peace acting in and for any Borough to issue his summons, requiring any Person to appear before any such Justices of the Peace, for the purpose of giving evidence touching any offence against this Act; and if any Person so summoned shall neglect or refuse to appear at the time and place appointed by such summons, and no reasonable excuse for his absence shall be proved before the Justices of the Peace then and there present, or if any Person appearing in obedience to such summons shall refuse to be examined on oath touching any such offence by the Justices then and there present, every Person so offending shall, on conviction thereof before the said Justices, or any other Justices of the Peace, forfeit and pay such sum of money, not exceeding Five Pounds, as to the convicting Justices shall seem meet; and no Person, although liable to the Rate contributing to the Borough Fund of any Borough shall be deemed an incompetent witness in proof of any offence against this Act, by reason of any penalty or forfeiture for such offence being applicable to the use of such Borough Fund; and no Justice of the Peace shall be disabled from

150.
Power to summon Witnesses.

Penalty for disobedience of Summons, &c.

No Witness or Justice to be incompetent on the ground of disability.

for the County or Division of the County, or for the Borough wherein the cause of complaint shall have arisen; provided that such Person shall give to the complainant a notice in writing of such appeal, and of the cause and matter thereof, within Three Days after such conviction, and Seven clear Days at the least before such Sessions, and shall also either remain in custody until the Sessions, or within such Three Days enter into a recognizance with a sufficient surety before a Justice of the Peace conditioned personally to appear at the said Sessions and to try such appeal, and to abide the judgment of the Court thereupon, and to pay such costs as shall be by the Court awarded; and upon such notice being given, and such recognizance entered into, the Justice before whom the same shall be entered into shall liberate such Person if in custody; and the Court at such Sessions shall hear and determine the matter of the appeal, and shall make such order therein, with or without costs to either party, as to the Court shall seem meet; and in case of the dismissal of the appeal, or the affirmance of the conviction, shall order and adjudge the offender to be dealt with and punished according to the conviction, and to pay such costs as shall be awarded, and shall, if necessary, issue process for enforcing such judgment.

And be it Enacted, That no conviction, order, warrant or other matter made, or purporting to be made, by virtue of this Act, shall be quashed for want of form; and no warrant of commitment shall be held void by reason of any defect therein, provided that it be therein alleged that it is founded on a conviction, and there be a good and valid conviction to sustain the same; and where any distress shall be made for levying any money by virtue of this Act, the distress itself shall not be deemed unlawful, nor the party making the same be deemed a trespasser, on account of any defect or want of form in the summons, conviction, warrant of distress, or other proceedings relating thereto; nor shall the party distraining be deemed a trespasser ab initio on account of any irregularity afterwards committed by him, but the Person aggrieved by such irregularity may recover full satisfaction for the special damage, if any, in an Action upon the case.

AND for the protection of Persons acting in the execution of this Act; BE it Enacted, That all Actions and Prosecutions to be commenced against any Person for any thing done in pursuance of this Act shall be commenced within Twelve calendar Months after the fact committed, and not otherwise; and notice in writing of such Action, and of the cause thereof, shall be given to the Defendant One calendar Month at least before the commencement of the Action; and in any such Action the Defendant may plead the General Issue, and give this Act and the special matter in evidence at any trial to

154.
No Certiorari,
&c.

As to informality in
Warrants, &c.

155.
Limitation in
proceedings
against Persons
acting under this
Act.

Notice of
Action.

General
Issue.

Tender of
Amends, &c.

he had thereupon; and no Plaintiff shall recover in any such Action if tender of sufficient amends shall have been made before such Action brought, or if a sufficient sum of money shall have been paid into Court after such Action by or on behalf of the Defendant; and if a verdict shall pass for the Defendant, or the Plaintiff shall become nonsuit, or discontinue any such Action after issue joined, or if upon demurrer or otherwise judgment shall be given against the Plaintiff, the Defendant shall recover his full costs as between attorney and client, and have the like remedy for the same as any Defendant hath by law in other cases.

156.
CLAWSH (B.)
When the Act
shall come
into operation.

And be it Enacted, That as soon as any Rate for the relief of the destitute Poor shall have been made in any of the Boroughs named in the said Schedules (A.) and (B.), the Guardians, Wardens or other Officers acting in the management or relief of the destitute Poor, by whom any such rate shall have been made, shall, under the hands of Three or more of them; or in their default, the Commissioners appointed to carry into execution any Act for the relief of the destitute Poor in Ireland, shall, under their seal, certify to the Lord Lieutenant of Ireland that such rate has been made; and upon the receipt of such certificate the Lord Lieutenant shall cause such certificate to be published in the Dublin Gazette, with a declaration that this Act will thenceforward be in force in the Borough or Boroughs named in the certificate; and upon such publication this Act shall come into operation and be in force in the Borough or Boroughs named in such certificate.

157.
Periods con-
nected with
first Registration
and Election
may be
determined by
Orders in
Council.

AND whereas it may happen that the several provisions of this Act cannot be carried into effect within the several periods hereinbefore specified and limited in that behalf; BE it therefore Enacted, That it shall be lawful for the Lord Lieutenant of Ireland, if he shall think fit, by the advice of Her Majesty's Privy Council there, to order any convenient day after this Act shall come into operation in any Borough for doing the several matters required or authorized by this Act to be done, on the Fifth day of September, in the first year in which this Act shall come into operation in that Borough, instead of the said Fifth day of September; and in such case all matters mentioned in such order shall be done in the said year, on such day as shall be mentioned in that behalf, in such order, as if the day mentioned in such order had in every instance been mentioned in this Act, instead of the said Fifth day of September, and not otherwise; and all things required or authorized by this Act to be done on any other day, or within any time from or after any day named in this Act, shall be done in the said first year on such other days and within such other times as shall have the same relation in point of time to the day so ordered by the Lord Lieutenant, instead of the Fifth day of September, as the days and time mentioned

mentioned in this Act have to the said Fifth day of September; but if any such day fall on a Sunday, then on the following day; and no Person shall be entitled to be enrolled in the Burgess Roll of any Borough in the first year in which this Act shall come into operation in that Borough, unless he would have been entitled on the Fifth day next before the day so ordered by the Lord Lieutenant, to have his name included in some Churchwarden's List, if such List had been made out on the said Fifth day next before the day so ordered.

And be it Enacted, That after the passing of this Act, every application to the Court of Queen's Bench, for the purpose of calling upon any Person to show by what warrant he claims to exercise the office of Mayor, Alderman or Councillor in any Borough, shall be made before the end of the term following next but one after the election of the Person against whom such application shall be directed, and not at a subsequent time.

And be it Enacted, That after the passing of this Act, in case no election shall be made of any Mayor, or any of the Aldermen, Councillors or other Corporate Officers, in any Borough named in the said Schedules, upon the day or within the time appointed by this Act for such election, or such election being made shall afterwards become void, whether such omission or avoidance shall occur through the default of the Officer or Officers who ought to preside at such election, or by any other means or accident whatsoever, the Corporation shall not thereby be deemed to be dissolved or disabled from electing such Mayor, Alderman or Councillor, or other Corporate Officer, for the future; but in case where no such election shall be made as aforesaid, the election for any such Mayor, Alderman, Councillor or other Corporate Officer, may be had, held or proceeded with upon the day next after the day on which such election ought to have been made, unless such day shall happen to be a Sunday, and then upon the Monday following; and every act necessary to be done in order to and for the completing such election, shall and may be then done, and the same shall be as effectual and valid for all purposes as if the election had been made on the proper day appointed for that purpose.

And be it Enacted, That after the passing of this Act, all the powers, authorities and jurisdictions by an Act passed in the Parliament of Ireland, in the nineteenth year of the reign of King George the Second, intituled, "An Act for the better Regulation of Corporations," given to Her Majesty's Court of Queen's Bench in Ireland, in cases where no election shall be made of the Mayor, Bailiff or Balliffs, or other Chief Officer or Officers of Cities, Boroughs or Towns Corporate, upon the day or within the time appointed

158.
Applications
for Quo
warrants to be
made within
the time next
but one after
Election.

159.
Corporations
not to become
void by
reason of
Election not
being held on
appointed
days.

160.
Provisions of
Act of Irish
Parliament,
19 Geo. 2,
extended to
Elections
under this Act.

appointed by charter or usage for that purpose, and that no election is made pursuant to the directions in that Act and hereinbefore prescribed, or that such election being made, shall afterwards become void, as in that Act mentioned, shall be and the same are hereby extended to all cases in which no election shall be made of any Mayor, Alderman, Councillor, or other Corporate Officer or other Person, to any Corporate Office, on the day or within the time appointed for any such election under the provisions of this Act; and the said Court of Queen's Bench is hereby empowered in all such cases to award a Mandamus, and to cause such proceedings to be had thereupon, and to make such orders, and to do all other acts, matters and things in respect thereof, as fully and effectually as the said Court is now by law authorized in any other cases of Mandamus for the election of any Officers of Corporations; and the election to be held under such Mandamus shall be held and the proceedings thereupon conducted within the Borough, in the same manner and under the like regulations and provisions as are in said Act of his Majesty King George the Second enacted and provided.

161.
The Queen
empowered to
grant Charters
of Incorporation.

AND whereas sundry Towns in Ireland not named in the Schedules to this Act annexed are not Towns Corporate, and in some others the Corporations have been extinct, and it may be expedient that several of them should be incorporated, and it may be also expedient that others which are Towns Corporate should be assimilated to the Boroughs mentioned in the Schedules to this Act annexed; BE it Enacted, That if any of the Inhabitant Household-ers of any Town in Ireland shall petition Her Majesty to grant to them a Charter of Incorporation, it shall be lawful for Her Majesty, by any such Charter, if she shall think fit to grant the same, to extend to the Inhabitants of any such Town within the District to be set forth in such Charter the powers and provisions in this Act contained; and thereupon all former Charters in cases where such Towns are incorporated shall cease at such time as the Lord Lieutenant shall direct, and the powers and provisions in this Act contained shall be carried into effect at such times and in such manner as the Lord Lieutenant shall direct, and as nearly as may be in like manner as if such town or towns were named in either of the Schedules (A.) or (B.) to this Act annexed: Provided nevertheless, That notice of every such Petition, and of the time when it shall please Her Majesty to order that the same be taken into consideration by Her Privy Council, shall be published by Royal Proclamation in the Dublin Gazette One Month at least before such Petition shall be so considered.

162.
Saving the
Rights of the
Governor and
Assistants of

And be it Enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter or take away any of the rights, privileges, powers or authorities vested in or enjoyed by the Society of

of the Governor and Assistants of London of the New Plantation in Ulster, within the realm of Ireland, under or by virtue of any Charter or Charters heretofore granted to them by the Crown.

London of
New Planta-
tion in Ulster.

163.
Interpre-
tion Clause.

And be it Enacted, That in the construction of this Act the word "Borough" shall be construed to mean City, Borough or Town Corporate, named in one of the said Schedules (A.) or (B.); and the words "Body Corporate" shall be construed to mean Body Corporate named in one of the said Schedules (A.) or (B.), and to include all Guilds and Fraternities of, within or connected with such Bodies Corporate respectively; and the word "Burgess" shall be construed to mean Citizen, in the case of a City; and the word "County" shall be construed to mean County or Riding; and the word "Trustees" shall be construed to mean Trustees, Commissioners or Directors, or the Persons charged with the execution of a Trust, by whatever name they are designated; and the word "Parish" shall be construed to extend to any extra-parochial Precinct or Place, as well as a Parish; and the words "Lord Lieutenant" shall be construed to mean the Lord Lieutenant, Lords Justices, or other Chief Governor or Governors of Ireland; and that in all things hereinafter provided to be done until the first election of Councillors in any Borough under this Act shall have been declared, the word "Mayor" shall be construed to mean the chief officer of a Borough, by whatever name he is now called; or when there may be no such chief officer, the returning officer at Elections of Members to serve in Parliament for such Borough; or when there may be neither any such chief officer or returning officer, then such Person as the Lord Lieutenant for the time being shall, by writing under his hand, appoint to perform the duty of Mayor under the provisions herein contained; and, in describing any person or thing, any word importing the singular number shall be construed to mean also several persons or things respectively, unless there be something in the subject or context repugnant to such construction; and that no misnomer or inaccurate description of any Person, Body Corporate or Place named in any Schedule to this Act annexed, or in any Burgess Roll, Ward List, Notice or Voting Paper required by this Act, shall hinder the full operation of this Act with respect to such Person or Place, provided that such Person or Place shall be so named as to be commonly understood; and in all cases where an oath or affidavit is required under this Act, the affirmation or declaration of a Quaker, Moravian or Separatist shall be accepted in lieu of such oath or affidavit.

And be it Enacted, That this Act may be altered or amended by any Act to be passed in this present Session of Parliament.

164.
Act may be
altered this
Session.

SCHEDULES

SCHEDULES to which this ACT refers.

SCHEDULE (A.)

PARLIAMENTARY BOUNDARIES to be taken.

BOROUGH.	Wards.	Aldermen.	Councillors.	STYLE OF CORPORATE BODY.
BELFAST - - -	5	10	30	The Sovereign, Free Burgesses and Commonalty of the Borough of Belfast.
CLONMEL - - -	3	6	18	The Mayor, Free Burgesses and Commonalty of the Town of Clonmel.
CORK - - -	8	16	48	The Mayor, Sheriffs and Commonalty of the City of Cork.
DROGHEDA - - -	3	6	18	The Mayor, Sheriffs, Burgesses and Commonalty of the County of the Town of Drogheda.
DUBLIN - - -	16	16	48	The Right honourable the Lord Mayor, Sheriffs, Commons and Citizens of the City of Dublin.
GALWAY - - -	5	10	30	The Mayor, Sheriffs, Free Burgesses and Commonalty of the Town and County of the Town of Galway.
KILKENNY - - -	3	6	18	The Mayor and Citizens of the City of Kilkenny. The Portreeve, Burgesses and Commons of the Borough or Town of Irishstown.
LIMERICK - - -	5	10	30	The Mayor, Sheriffs and Citizens of the City of Limerick.
LONDONDERRY - -	3	6	18	The Mayor, Commonalty and Citizens of Londonderry.
SLIGO - - -	3	6	18	The Provost, Free Burgesses and Commonalty of the Borough of Sligo.
WATERFORD - - -	5	10	30	The Mayor, Sheriffs and Citizens of County of the City of Waterford, in the Kingdom of Ireland.

SCHEDULE (B.)

SECTION I.—PARLIAMENTARY BOUNDARIES to be taken.

BOROUGH.	Wards.	Alde- men.	Coun- cillors.	STYLE OF CORPORATE BODY.
ARMAGH - - -	-	6	18	The Sovereign, Free Burgesses and Commonalty of the Borough of Armagh.
ATHLONE - - -	-	6	18	The Sovereign, Bailiffs, Burgesses and Freemen of the Town of Athlone.
BANDON - - -	-	6	18	The Provost, Free Burgesses and Commonalty of the Borough of Bandon Bridge.
CARLOW - - -	-	6	18	The Sovereign, Free Burgesses and Commonalty of the Borough of Catherlagh.
CARRICKFERGUS -	-	6	18	The Mayor, Sheriff, Burgesses and Commonalty of the Town of Carrickfergus.
CASHEL - - -	-	6	18	The Mayor, Aldermen, Bailiffs, Citizens and Commons of the City of Cashel.
COLERAINE - - -	-	4	12	The Mayor, Aldermen and Burgesses of the Town of Coleraine.
DUNDALK - - -	-	6	18	The Bailiff, Burgesses and Commonalty of the Borough of Dundalk.
DUNGANNON - - -	-	4	12	The Provost, Free Burgesses and Commons of the Borough of Dungannon.
ENNIS - - -	-	6	18	The Provost, Free Burgesses and Commonalty of the Town of Ennis.
ENNISKILLEN - -	-	4	12	The Portreeve, Free Burgesses and Commonalty of the Borough of Enniskillen.
KINSALE - - -	-	6	18	The Sovereign, Burgesses and Commonalty of the Town of Kinsale.
NEW ROSS - - -	-	4	12	The Sovereign and Burgesses of New Ross.
PORTARLINGTON -	-	4	12	The Sovereign, Bailiffs and Burgesses of the Borough and Town of Portarlington.
TRALEE - - -	-	6	18	The Provost, Free Burgesses and Commonalty of the Borough of Tralee.
WEXFORD - - -	-	6	18	The Mayor, Bailiffs, Free Burgesses and Commonalty of the Town or Borough of Wexford.
YOUGHAL - - -	-	6	18	The Mayor, Bailiffs, Burgesses and Commonalty of the Town of Youghal.

SECTION 2.—ANCIENT BOUNDARIES to be taken.

BOROUGH.	Wards.	Aldeermen.	Councillors.	STYLE OF CORPORATE BODY.
ARDEE - - -	-	4	12	The Portreeve, Burgesses and Commons of the Corporation of Ardee.
ATHY - - -	-	4	12	The Sovereign, Bailiffs, Free Burgesses and Commonalty of the Borough of Athy.
BOYLE - - -	-	4	12	The Borough Master, Free Burgesses and Commonalty of the Borough of Boyle.
CALLAN - - -	-	4	12	The Sovereign, Burgesses and Freemen of Callan.
CHARLEVILLE - -	-	4	12	The Sovereign, Bailiffs and Burgesses of the Borough of Charleville.
CLOCHNAKILTY -	-	4	12	The Sovereign, Free Burgesses and Commonalty of the Borough of Clonmalkilly.
DINGLE - - -	-	4	12	The Sovereign, Burgesses and Commonalty of the Town of Dingle-the-south.
ENNISCORTHY -	-	4	12	The Portreeve, Free Burgesses and Commonalty of the Borough of Enniscorthy.
FETHARD - - -	-	4	12	The Sovereign, Chief Burgesses, Portreeve and Freemen of the Town of Fethard.
GOREY - - -	-	4	12	The Sovereign, Burgesses and Free Commons of the Borough and Town of Newborough.
KELLS - - -	-	4	12	The Sovereign, Provosts, Burgesses and Commonalty of the Borough of Kells.
LONGFORD - - -	-	4	12	The Sovereign, Bailiffs and Burgesses of the Borough of Longford.
MARYBOROUGH -	-	4	12	The Burgesmaster, Bailiffs, Burgesses and Commonalty of Maryborough.
MONAGHAN - - -	-	4	12	The Provost, Free Burgesses and Commonalty of the Borough of Monaghan.
NAAS - - -	-	4	12	The Sovereign, Provost, Burgesses and Commonalty of Naas.
NAVAN - - -	-	4	12	The Portreeve, Burgesses and Freemen of the Town or Borough of Navan.
STRABANE - - -	-	4	12	The Provost, Free Burgesses and Commonalty of the Town of Strabane.
TRIM - - -	-	4	12	The Portreeve, Burgesses and Freemen of Trim.
TUAM - - -	-	4	12	The Sovereign, Free Burgesses and Commonalty of the Borough of Tuam.

SCHEDULE (C.)

No. 1.

THE LIST OF BURGESSES of the Borough of _____ in the
[or, in the Parish or Precinct, or Ward of _____]
Borough of _____.]

Christian Name and Surname of each Person at full length.	Street, Lane or other Place in this Borough, [or, Parish, Precinct or Ward in this Borough], where the Property in respect whereof the Party is to be enrolled, is situate,
Andrews, Peter - - - - -	No. 1, Green-street.
Brady, Thomas - - - - -	No. 3, White's-lane.

Dated the _____ day of _____ in the year _____
(signed) A. B.
Churchwarden of the said Parish [or, Town Clerk of the
said Borough, or, Alderman of the said Ward, &c.]

No. 2.

NOTICE OF CLAIM.

To the Town Clerk of the Borough of _____

I HEREBY give you Notice, That I claim to have my Name enrolled in the Burgess Roll of the Borough of _____, and that I occupy [here describe the House, Ware-house, Counting-house or Shop then occupied by the Claimant] in the said Borough, of the full yearly value of _____ Pounds or upwards, and that I have occupied the said Premises [or, the said Premises or other Premises, describing each other Premises, within the said Borough] for the space of _____ last past.

Dated the _____ day of _____ in the year _____
(signed) HENRY STILES.

No. 3.

NATURE OF OBJECTION.

To the Town Clerk of the Borough of _____

I HEREBY give you Notice, That I object to the name of Thomas Brady, of White's-lane, in this Borough, [describe the Person objected to as described in the List of the Church-wardens, Town Clerk or Alderman of the Ward, &c.] being retained on the Burgess Roll of the Borough of _____

Dated the _____ day of _____ in the year _____
(signed) MICHAEL MEARES, of [here state the Place of Abode and
Property in respect of which he
is said to be entitled to be en-
rolled in the List of the Church-
wardens, Town clerk or Alderman
of the Ward, &c.]

No. 4.

LIST OF CLAIMANTS.

The following Persons claim to have their Names inserted on the Burgess Roll of the Borough of

Christian Name and Surname of each Claimant.	Present Occupancy.	Former Occupancy, as stated in the Claim.
Henry Stiles - - - -	- - House, No. 10, Capel-street.	- - Shop, No. 17, Henry-street, during the last month, and House, No. 6, Aston's Quay, during the five preceding months.

Dated the day of in the year
(signed) A. B. Town Clerk.

No. 5.

LIST OF PERSONS OBJECTED TO.

The following Persons have been objected to as not being entitled to have their Names retained on the Burgess Roll of the Borough of

Christian Name and Surname of each Person objected to.	Property in respect of which he is said to be entitled to be enrolled in the List of the Churchwardens, Town Clerk or Aldermen of the Ward, &c.
Thomas Brady - - - -	No. 3, White's Lane.

Dated the day of in the year
(signed) A. B. Town Clerk.

SCHEDULE (D.)

- BELFAST** - - - - - -- An Act for paving, cleansing, and lighting and improving the several Streets, Squares, Lanes and Passages, within the Town of Belfast, in the County of Antrim, and for removing and preventing all Encroachments, Obstructions and Annoyances therein; and also for establishing and maintaining a Nightly Watch throughout the said Town and Precincts thereof, and for other purposes. [46 Geo. 3, c. 37.]
- An Act to explain and amend an Act of His present Majesty, for paving, cleansing, lighting and otherwise improving the Town of Belfast, in the County of Antrim, and for better effecting those purposes. [56 Geo. 3, c. 57.]
- CORK** - - - - - -- An Act for the Regulation of the City of Cork, and for other purposes therein mentioned, relative to the said City. [12 Geo. 3, c. 18.]
- An Act for the better Regulation of the Police of the City of Cork, and for other purposes relative to the said City. [17 & 18 Geo. 3, c. 38.]
- An Act for the more equal Assessment of Money presented to be raised by the Grand Jury of the County of the City of Cork, and for a new Valuation of the said City, and Survey of the Liberties thereof; and for other purposes relative to Grand Juries. [53 Geo. 3, c. 111.]
- An Act to explain and amend an Act of His present Majesty, for the more equal Assessment of Money presented to be raised by the Grand Jury of the County of the City of Cork, and for a new Valuation of the said City, and Survey of the Liberties thereof; and for other purposes relative to Grand Juries. [55 Geo. 3, c. 82.]
- DROGHEDA** - - - - - -- An Act for the better regulating the Parish Watches, and amending the Highways in this Kingdom, and for preventing the misapplication of Public Money. [6 Geo. 1, c. 10.]
- An Act for continuing and amending an Act, intitled, "An Act for the better regulating the Parish Watches, and amending the Highways in this Kingdom, and for preventing the misapplication of Public Money;" and also for establishing a regular Watch in the City of Dublin, and to prevent Mischief which may happen by graving Ships in the River Liffey. [10 Geo. 1, c. 3.]
- An Act for continuing and amending an Act, intitled, "An Act for the better regulating the Parish Watches, and amending Highways in this Kingdom, and for preventing the misapplication of Public Money; and also for establishing a regular Watch in the City of Dublin, and to prevent Mischief which may happen by graving Ships in the River Liffey;" and also for regulating the Watch in the Town of Drogheda. [5 Geo. 3, c. 22.]
- LIMERICK** - - - - - -- An Act for paving, cleansing, lighting and watching the Parish of St. Michael, in the Liberties of the City of Limerick, and adjoining the said City, and for preventing and removing Nuisances therein. [47 Geo. 3, Sess. 2, c. 75.]
- An Act for altering and enlarging the powers of an Act of His present Majesty, for paving, cleansing, lighting and watching the Parish of St. Michael, in the Liberties of the City of Limerick, and adjoining the said City, and for preventing and removing Nuisances therein. [51 Geo. 3, c. 104.]

LONDONDERRY

-- An Act for building a Bridge over the River Lough Foyle, at the City of Londonderry, and the Suburbs thereof, and for certain Regulations relative to said City. [30 Geo. 3. c. 31.]

An Act for amending an Act passed in the thirtieth year of His Majesty's reign, intitled, "An Act for building a Bridge over Lough Foyle, at the City of Londonderry, and the Suburbs thereof, and for certain Regulations relative to said City. [40 Geo. 3. c. 41.]

An Act to amend two Acts, so far as relate to supplying the City of Londonderry with Water, improving the Harbour of the said City, and the Regulation of Pilots and Vessels using the same; and for extending the Jurisdiction of the Court held in the said City for the recovery of Small Debts. [48 Geo. 3. c. 126.]

An Act for rebuilding or repairing a Bridge across the River Foyle or Lough Foyle at Londonderry; for enabling the Corporation of that City to raise Money for that purpose; to authorize the advance of a certain Sum of Money out of the Consolidated Fund of Ireland; and for regulating the Fairs and Markets, and improving the Race Course there. [54 Geo. 3. c. 230.]

An Act to amend an Act of the thirtieth year of his late Majesty, for lighting and improving the City of Londonderry. [5 Geo. 4. c. 122.]

An Act to amend several Acts relating to the City of Londonderry. [6 Geo. 4. c. 180.]

An Act to make more effectual Provisions for lighting, cleaning and watching the City of Londonderry, and to amend several Acts relating to the said City. [9 & 3 Will. 4. c. 107.]

SLIGO - - -

-- An Act for repealing so much of an Act made in the third year of the reign of King GEORGE the Second, intitled, "An Act for cleansing the Ports, Harbours and Rivers of the City of Cork, and of the Towns of Galway, Sligo, Drogheda and Belfast, and for erecting a Ballast Office in the said City, and each of the said Towns, as relates to the Port and Harbour of the Town of Sligo;" and for repealing an Act made in the fortieth year of the reign of His present Majesty, intitled, "An Act for paving, cleaning, lighting and improving the Streets, Quays, Lanes and Passages, in the Town of Sligo, in the County of Sligo; for establishing a Nightly Watch in the said Town; for supplying the said Town with Pipe Water; and for improving and regulating the Port and Harbour thereof; and for making better Provision for the paving, lighting, watching, cleansing and improving of the said Town of Sligo; and for regulating the Porters and Carmen employed therein; and for the better Regulation and Improvement of the Port and Harbour thereof." [43 Geo. 3. c. 69.]

WATERFORD -

-- An Act for better regulating the Police of the City of Waterford [23 & 24 Geo. 3. c. 52.]

SCHEDULE (E.)

No. 1.

FORM of PROCESS of ATTACHMENT of Goods in COURT of RECORD.

Borough of L. to wit. } ATTACH the Defendant by his Goods and Chattels, if
 A. B. of, &c. in, &c. [Name, Residence and Addition of Plaintiff.] } found within the jurisdiction of this Court, so that he be before
 the Recorder of the said Borough at _____ on
 C. D. of, &c. in, &c. [Name, Residence and Addition of Defendant.] } day, the _____ day of _____
 next after the date hereof, to answer the Plaintiff's Suit in an
 Action for the Sum of [here insert the amount of the Demand], for [here insert the cause of
 Action], and have you then there this Writ.

Dated this _____ day of _____ One thousand eight hundred _____
 G. H. Registrar.
 To _____

No. 2.

FORM of SUMMONS in COURT of CONSCIENCE.

Borough of L. to wit. } BY the President of the Court of Conscience for the said
 A. B. of, &c. in, &c. [Name, Residence and Addition of Plaintiff.] } Borough: The Defendant is hereby required personally to
 appear before the said President at _____ on
 C. D. of, &c. in, &c. [Name, Residence and Addition of Defendant.] } day, the _____ day of _____
 next after the date hereof, to answer the Plaintiff's Suit for the
 Sum of [here insert the amount of the Debt], for [here insert the particulars of the Demand].
 On default thereof, the said President will proceed as to justice shall appertain.

Dated this _____ day of _____ One thousand eight hundred _____

Signed on behalf of the Plaintiff, }